

CHAPTER 197
SB 58 - FINAL VERSION

03/11/2021 0617s
3Jun2021... 1531h
06/24/2021 2056EBA

2021 SESSION

21-0935
10/04

SENATE BILL **58**

AN ACT relative to the administration of occupational regulation by the office of professional licensure and certification.

SPONSORS: Sen. Carson, Dist 14; Sen. Giuda, Dist 2

COMMITTEE: Executive Departments and Administration

ANALYSIS

This bill makes changes to the statutory provisions governing the regulatory boards and commissions for technical professions and health professions in order to conform to oversight and administration by the office of professional licensure and regulation.

Explanation: Matter added to current law appears in ***bold italics***.
 Matter removed from current law appears ~~[in brackets and struckthrough]~~
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

CHAPTER 197
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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty One

AN ACT relative to the administration of occupational regulation by the office of professional licensure and certification.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 197:1 Administration of the Office. Amend RSA 310-A:1-d to read as follows:

2 310-A:1-d Administration of the Office of Professional Licensure and Certification.

3 I. The office of professional licensure and certification shall operate under the supervision of
4 the executive director appointed under RSA 310-A:1-b. The office may employ such clerical or other
5 assistants as are necessary for the proper performance of its work, and may make expenditures for
6 any purpose which are reasonably necessary, according to the executive director, for the proper
7 performance of its duties under this chapter. ***The office may contract for the services of***
8 ***investigators, hearing officers, legal counsel and experts as necessary and in consultation***
9 ***with the appropriate board, council, or commission.***

10 II. The executive director of the office of professional licensure and certification shall be
11 responsible for:

12 (a) Supervision of the division directors;

13 (b) The performance of the administrative, clerical, and business processing
14 responsibilities of the boards, commissions, and councils;

15 (c) Employment of such personnel needed to carry out the functions of the boards;

16 (d) The issuance of a license or certification to any applicant who has met the
17 requirements for licensure or certification and denying a license or certification to applicants who do
18 not meet the minimum qualifications;

19 (e) Maintenance of the official record of all applicants and licensees ***in accordance***
20 ***with the retention policy established by the office of professional licensure and***
21 ***certification;***

22 (f) Supervision, coordination, and assistance to the boards, commissions, and councils in
23 rulemaking, pursuant to RSA 541-A;

24 (g) Maintaining the confidentiality of information, documents, and files in accordance
25 with RSA 91-A;

26 (h) Establishing by rule, pursuant to RSA 541-A:

27 (1) All fees authorized by statute for all boards, commissions, ~~[and]~~ councils, ***and***
28 ***programs*** within the office of professional licensure and certification, in consultation with the

CHAPTER 197
SB 58 - FINAL VERSION
- Page 2 -

1 affected boards, commissions, and councils on a biennial basis in conjunction with the preparation of
2 the biennial budget;~~and~~

3 (2) Such organizational and procedural rules necessary to administer the boards,
4 commissions, ~~and~~ councils, **and programs** in the office of professional licensure and certification,
5 including rules governing the administration of complaints and investigations, payment processing
6 procedures, and application procedures. ***The boards shall retain the authority to determine the***
7 ***criteria necessary for licensing applications;***

8 (3) ***The rate of per diem compensation and reimbursable expenses for all***
9 ***boards, commissions, councils, and programs within the office of professional licensure***
10 ***and certification; and***

11 (4) ***Rules governing the professionals' health program as set forth in RSA***
12 ***310-A:1-e; and***

13 (i) Submitting, by November 1, to the speaker of the house of representatives, the
14 president of the senate, the chairpersons of the house and senate executive departments and
15 administration committees, and the governor, an annual report summarizing the transactions of the
16 preceding fiscal year and a complete statement of the receipts and expenditures of the office of
17 professional licensure and certification. Such report shall satisfy the requirements for any annual or
18 biennial report imposed by statute on any board, commission, or council administered by the office of
19 professional licensure and certification. The report shall be posted on the website of the office of
20 professional licensure and certification immediately upon submission.

21 197:2 Acupuncture; Quorum. Amend RSA 328-G:6 to read as follows:

22 328-G:6 Organization and Meetings. The board shall hold regular meetings at least semi-
23 annually and shall give notice to its members of the time and place for holding all regular and
24 special meetings. A quorum of the board shall consist of ~~[not less than 3 members]~~ ***a majority of***
25 ***the members of the board who have been approved by the governor and council.*** The board
26 shall biennially elect a chairperson, a vice-chairperson, and a secretary from among its members.

27 197:3 Acupuncture; Rulemaking. Amend RSA 328-G:7, I-III to read as follows:

28 I. ~~[Procedures and forms for application]~~ ***Eligibility requirements*** for an acupuncture
29 license.

30 II. Scope of practice ~~[and fees for applications]~~.

31 III. ~~[Procedures]~~ ***Eligibility requirements*** for license renewal, including continuing
32 education requirements, testing, peer review, ~~[or other appropriate procedures,]~~ and methods to
33 ensure compliance with such requirements.

34 197:4 Acupuncture; Rulemaking. Amend RSA 328-G:7, XIV to read as follows:

35 XIV.(a) ~~[Procedures and forms for application]~~ ***Eligibility requirements*** for certification as
36 an acupuncture detoxification specialist.

CHAPTER 197
SB 58 - FINAL VERSION
- Page 3 -

(b) Renewal, revocation, or suspension of certification of an acupuncture detoxification specialist.

~~[(c) Any fees required under subparagraphs (a) and (b).]~~

~~[(d) Maintaining a register of persons certified as acupuncture detoxification specialists.]~~

197:5 Acupuncture; Powers of the Board. Amend RSA 328-G:11, I to read as follows:

I. The board shall:

(a) ~~[Insure]~~ **Ensure** that licensed acupuncturists serving the public meet minimum standards of proficiency and competency to protect the health, safety, and welfare of the public.

(b) Administer and enforce all provisions of this chapter, which pertain to licensees and applicants, and all rules adopted by the board under the authority granted in this chapter.

(c) Maintain an accurate account of all receipts, expenditures, and refunds granted under this chapter through the office of licensure and certification ***and in accordance with the retention policy established by the office of professional licensure and certification.***

(d) Maintain a record of its acts and proceedings, including the issuance, refusal, suspension, or revocation of licenses ***in accordance with the retention policy established by the office of professional licensure and certification.***

~~[(e) [Maintain a roster of all acupuncturists licensed under this chapter which indicates:~~

~~(1) The name of the licensee.~~

~~(2) Current professional office address.~~

~~(3) The date of issuance and the number of the licensee's license.~~

~~(4) Whether the licensee is in good standing.~~

~~[(f)]~~ **(f)** Keep all applications for licensure ~~[as a permanent record]~~ ***in accordance with the retention policy established by the office of professional licensure and certification.***

~~[(g)]~~ **(f)** Maintain a ~~[permanent]~~ record of the results of all examinations it gives ***in accordance with the retention policy established by the office of professional licensure and certification.***

~~[(h)]~~ **(g)** Keep all examination records including written examination records and tape recordings of the questions and answers in oral examinations ***in accordance with the retention policy established by the office of professional licensure and certification.***

~~[(i)]~~ **(h)** Keep the records of the board open to public inspection at all reasonable times.

~~[(j)]~~ **(i)** Adopt and use a seal, the imprint of which, together with the signatures of the chairperson or vice-chairperson and the secretary-treasurer of the board, shall evidence its official acts.

~~[(k) Annually compile and publish a directory.]~~

197:6 Repeals; Acupuncture. The following are repealed:

I. RSA 328-G:5, relative to mileage for the board of acupuncture licensing.

II. RSA 328-G:7, IV, relative to rulemaking on a register.

CHAPTER 197
SB 58 - FINAL VERSION
- Page 4 -

1 197:7 Alcohol and Other Drug Use Professionals; Board; Quorum. Amend RSA 330-C:3, IX to
2 read as follows:

3 IX. The board shall elect a chairperson annually from among its membership. [~~Four~~
4 ~~members~~] ***A majority of the members*** of the board ***who have been approved by the governor***
5 ***and council*** shall constitute a quorum.

6 197:8 Alcohol and Other Drug Use Professionals; Board; Removal. Amend RSA 330-C:3, XIII to
7 read as follows:

8 XIII. The governor may remove any member from the board for neglect of any duty under
9 RSA 330-C:5 or for incompetence, or unprofessional or dishonorable conduct. Any person may file a
10 complaint against a board member or board members with the executive director of the office of
11 professional licensure and certification. Upon receipt of a complaint, the [~~commissioner~~] ***executive***
12 ***director*** shall conduct an investigation and take any appropriate action and report his or her
13 findings to the complainant. The provisions of RSA 4:1 controlling the removal of public officials
14 from office shall be followed in dismissing board members.

15 197:9 Alcohol and Other Drug Use Professionals; Board; Duties. Amend RSA 330-C:5, VIII to
16 read as follows:

17 VIII. Maintain records of proceedings as required by the laws of New Hampshire ***and as set***
18 ***forth by the retention policy established by the office of professional licensure and***
19 ***certification.***

20 197:10 Alcohol and Other Drug Use Professionals; Records. RSA 330-C:7 is repealed and
21 reenacted to read as follows:

22 330-C:7 Records. A true record of all of the board's official acts shall be made and preserved by
23 the board through the office of professional licensure and certification in accordance with the
24 retention policy established by the office. The records shall be public and shall be open to inspection
25 at all reasonable times, except for records compiled in connection with disciplinary investigations
26 and records otherwise exempt from disclosure under RSA 91-A or other applicable statutes.

27 197:11 Alcohol and Other Drug Use Professionals; Rulemaking. Amend RSA 330-C:9, I - V-b to
28 read as follows:

29 I. [~~Application procedures and~~] Eligibility requirements for the issuance of all initial and
30 renewal licenses issued by the board, including without limitation:

31 (a) The ***eligibility requirements for the*** issuance of LADC licenses to applicants
32 holding a currently valid license or other authorization to practice substance use counseling in
33 another jurisdiction;

34 (b) The ***eligibility requirements for the*** issuance of MLADC licenses to applicants
35 holding a currently valid license or other authorization to practice substance use counseling and co-
36 occurring disorder counseling in another jurisdiction;

CHAPTER 197
SB 58 - FINAL VERSION
- Page 5 -

(c) The ***eligibility requirements for the*** issuance of such licenses to applicants holding a current license issued by the board of nursing or the board of medicine; and

(d) The ***eligibility requirements for the*** issuance of a MLADC license under RSA 330-C:16.

II. ~~[Application procedures and]~~ Eligibility requirements for the reinstatement of licenses after lapse and after disciplinary action.

III. ~~[Application procedures]~~ ***Eligibility requirements***, training requirements, and other criteria for the issuance of certification, renewal of certification, and reinstatement of certification for certified recovery support workers and certified recovery support worker supervisors.

IV. ~~[The establishment of license and certificate application, late renewal, and reinstatement fees required under this chapter.~~

~~V.]~~ The process standards for approval of education programs for the continuing education requirements of this chapter and providers of such programs, and the process for approval of providers engaged in clinical supervision.

~~[V-a.]~~ V. The process standards for approval of individuals engaged in clinical supervision.

~~[V-b]~~ ***V-a.*** The requirements for clinical supervision and the documentation of clinical supervision hours.

197:12 Alcohol and Other Drug Use Professionals; Applications. Amend RSA 330-C:15, I(a) to read as follows:

(a) Submit a completed application and pay fees established by the ~~[board]~~ ***office of professional licensure and certification***;

197:13 Alcohol and Other Drug Use Professionals; Applicants From Other States. Amend RSA 330-C:21, I-a to read as follows:

I-a. An applicant whose state licensure meets the requirements in paragraph I shall be deemed able to practice in this state not more than 60 days after the application is received by the board pending final approval or denial for other reason by the board. ~~[The board shall adopt rules under RSA 541-A to ensure the timely review and approval of applications under this section.]~~

197:14 Alcohol and Other Drug Use Professionals; Hearings. Amend RSA 330-C:29, I to read as follows:

I. The board may hold adjudicative hearings concerning allegations of misconduct or other matters within the scope of this chapter. Such hearings shall be public proceedings. Any member of the board ~~[other than the public members]~~, or any other qualified person appointed by the board, shall have authority to preside at such a hearing and to issue oaths or affirmations to witnesses.

197:15 Repeals; Alcohol and Other Drug Use Professionals. The following are repealed:

I. RSA 330-C:3, XI, relative to mileage for board members.

II. RSA 330-C:28, II, relative to retaining experts for investigations or hearings.

197:16 Allied Health Professionals; Legal Counsel. Amend RSA 328-F:3, II to read as follows:

CHAPTER 197
SB 58 - FINAL VERSION
- Page 6 -

1 II. The governing boards' chairpersons or their appointees shall make up the board of
2 directors of the office of licensed allied health professionals. ~~[The board of directors shall contract for~~
3 ~~the services of investigators and legal counsel retained through the office of professional licensure~~
4 ~~and certification]~~. The board of directors shall have the authority to delegate to the person in the
5 supervisory position matters of administrative and personnel management.

6 197:17 Allied Health Professionals; Records. Amend RSA 328-F:9 to read as follows:

7 328-F:9 Records of the Boards. A true record of all of each board's official acts shall be made
8 and preserved ***in accordance with the retention policy established by the office of***
9 ***professional licensure and certification***. The records shall be public and shall be open to
10 inspection at all reasonable times, except for records compiled in connection with disciplinary
11 investigations and records otherwise exempt from disclosure under RSA 91-A or other applicable
12 statutes.

13 197:18 Allied Health Professionals; Records. RSA 328-F:10 is repealed and reenacted to read as
14 follows:

15 328-F:10 Records of Disciplinary History. Each governing board shall maintain a list of persons
16 against whom the board has taken any disciplinary action in accordance with the retention policy
17 established by the office of professional licensure and certification. This list shall include the name
18 of the person, the reason for the disciplinary action, the date of the disciplinary action, and the
19 nature of the disciplinary action.

20 197:19 Allied Health Professionals; Rulemaking. Amend RSA 328-F:11 to read as follows:

21 328-F:11 Rulemaking by the Governing Boards.

22 I. The governing boards shall adopt rules pursuant to RSA 541-A establishing:

23 (a) The eligibility requirements for initial licensure and for initial certification if
24 certification of individuals is authorized by their practice acts.

25 (b) The eligibility requirements for license renewal, including any continuing
26 competency requirements and any requirements for education, clinical experience, and training.

27 (c) The eligibility requirements for renewal of certification, including any continuing
28 competency requirements and any requirements for education, clinical experience, and training.

29 (d) If the governing boards issue conditional licenses or certifications, conditional
30 renewal of licenses or certifications, or conditional reinstatement after lapse or suspension of
31 licenses or certifications, the circumstances under which these are issued and the standards for the
32 imposition of the conditions.

33 (e) The ~~[application procedures and]~~ eligibility requirements, including any continuing
34 competency requirements, for the reinstatement of licenses suspended for disciplinary reasons and
35 for such reinstatement of certifications if authorized by their practice acts.

CHAPTER 197
SB 58 - FINAL VERSION
- Page 7 -

(f) The ~~[application procedures and]~~ eligibility requirements, including any continuing competency requirements, for the reinstatement of lapsed licenses and for such reinstatement of certifications if authorized by their practice acts.

~~(g) [The design and content of supplemental application forms requesting applicant information specific to the profession for which the applicant is applying, which forms may require a notarized affidavit that the information provided in the application is complete and accurate, and which do not request information already provided on forms adopted under RSA 328-F:13, IV.]~~

~~(h) Application procedures.~~

~~(i) The allocation of disciplinary sanctions in cases of misconduct by licensees and by certified individuals.~~

II. The governing boards may adopt rules pursuant to RSA 541-A that specify, for their respective professions:

(a) The scope of practice.

(b) The ethical standards.

(c) The eligibility requirements ~~[and procedures]~~ for the issuance of licenses to applicants currently licensed in foreign countries and territories and in the territories of the United States.

(d) What constitutes, for disciplinary purposes, sexual relations with and sexual harassment of, a client or patient.

197:20 Allied Health Professionals; Licenses. Amend RSA 328-F:18, I through IV to read as follows:

I. Each governing board shall issue initial licenses and license renewals to applicants who have completed the ~~[required]~~ application procedures ***established by the office of professional licensure and certification*** and have met the eligibility requirements established by the practice act and the rules of the governing board. If a governing board is authorized by its practice act to issue provisional licenses, it shall issue such licenses to applicants who have completed the ~~[required]~~ application procedures ***established by the office of professional licensure and certification*** and have met the eligibility requirements for provisional licensure established by the practice act and the rules of the governing board.

II. The governing boards shall take no action on an application for any type of license, or reinstate any lapsed or suspended license, until the applicant has completed the application procedures ~~[required by the practice acts and the rules of the governing boards]~~ ***established by the office of professional licensure and certification***.

III. To ~~[insure]~~ ***ensure*** the competency of licensees, the governing boards are authorized to issue initial licenses, license renewals, and reinstatements of licensure after lapse or suspension for disciplinary reasons that are conditional in nature. Such conditional licenses may include the following conditions on the licensee's authorization to practice:

CHAPTER 197
SB 58 - FINAL VERSION
- Page 8 -

1 (a) A limit on the duration of the license.

2 (b) A requirement that specified education, clinical experience, or training is completed
3 by the licensee before removal of the condition.

4 (c) A requirement that the conditional licensee be supervised in his or her practice.

5 (d) A limitation on the scope of the practice of the conditional licensee.

6 IV. Initial licenses, certifications, and registrations, including conditional licenses,
7 certifications, and registrations that are the first license, certificate, or registration issued to the
8 individual or hearing aid dealer, and provisional licenses, certifications, and registrations shall be[:

9 ~~(a) Signed and dated by the chairperson of the governing board issuing them or his or~~
10 ~~her designee.~~

11 ~~(b)]~~ numbered consecutively and recorded.

12 197:21 Allied Health Professionals; Reinstatement. Amend RSA 328-F:24, III to read as follows:

13 III. Governing boards are authorized to conduct disciplinary proceedings in accordance with
14 procedural rules adopted by the ~~[board of directors]~~ **office of professional licensure and**
15 **certification.**

16 197:22 Repeals; Allied Health. The following are repealed:

17 I. RSA 328-F:6, relative to compensation for governing board members.

18 II. RSA 328-F:12, I and IV, relative to a report of funds.

19 III. RSA 328-F:13, II-V, relative rulemaking by the allied health board of directors.

20 197:23 Repeals; Genetic Counselors. The following are repealed:

21 I. RSA 326-K:7, relative to compensation of the genetic counselors governing board.

22 II. RSA 326-K:9, II, relative to application procedures.

23 197:24 Physical Therapists; Powers of the Board. Amend RSA 328-A:3, IV to read as follows:

24 IV. Employ or contract with any entity for the purpose of administering examinations
25 authorized by this chapter **through the office of professional licensure and certification.**

26 197:25 Repeals; Physical Therapists. The following are repealed:

27 I. RSA 328-A:3, VIII-XI, relative to duties of the board.

28 II. RSA 328-A:15, I, relative to licensee information.

29 197:26 Respiratory Care; Rulemaking. Amend RSA 326-E:2, III to read as follows:

30 III. Specifying the ~~[application procedures and]~~ eligibility requirements to be met by persons
31 or entities seeking approval as providers of continuing education programs.

32 197:27 Respiratory Care; Rulemaking. Amend RSA 326-E:11, III to read as follows:

33 III. The board shall establish, through rules adopted pursuant to RSA 541-A, ~~[application~~
34 ~~procedures and]~~ eligibility requirements for the approval of persons and entities as providers of
35 continuing education programs.

36 197:28 Repeals; Respiratory Care. The following are repealed:

37 I. RSA 326-E:5, II(b) and (c), relative to duties of the governing board.

CHAPTER 197
SB 58 - FINAL VERSION
- Page 9 -

1 II. RSA 326-E:7, I, relative to licensee and governing board information.

2 197:29 Speech-language Pathology; Reinstatement. Amend RSA 326-F:7-a, III and IV to read as
3 follows:

4 III. Complies with any reinstatement application procedures established by the ~~[board]~~
5 ***office of professional licensure and certification*** in rules adopted pursuant to RSA 541-A.

6 IV. Pays the reinstatement fee ***established by the office of professional licensure and***
7 ***certification.***

8 197:30 Repeal; Speech-language Pathology. RSA 326-F:5, II, relative to rules for applications, is
9 repealed.

10 197:31 Barbering, Cosmetology, Esthetics; Board; Quorum. Amend RSA 313-A:2, V to read as
11 follows:

12 V. The board shall hold at least 6 regular meetings each year. Special meetings may be
13 called at such times as the rules of the board may provide. A quorum of the board shall consist of ~~[no~~
14 ~~fewer than 4 members]~~ ***a majority of the members of the board who have been approved by***
15 ***the governor and council.*** All meetings of the board shall be open to the public, except when the
16 board conducts a nonpublic session under RSA 91-A.

17 197:32 Barbering, Cosmetology, Esthetics; Records. Amend RSA 313-A:4 to read as follows:

18 313-A:4 Maintenance of Records. The board shall maintain a record containing the names and
19 addresses of all licensees and of all salons, barbershops and schools licensed pursuant to this chapter
20 ~~[and]~~ ***in accordance with the retention policy established by the office of professional***
21 ***licensure and certification.*** ***The board*** shall issue all notices, license and registration
22 certificates. The record shall include the date of issuance, renewal, suspension or revocation of all
23 licenses. This record shall be open to public inspection at all reasonable times.

24 197:33 Barbering, Cosmetology, Esthetics; Board Duties. Amend RSA 313-A:7, I(a)-(d) to read
25 as follows:

26 (a) Prescribe the duties of its officers ~~[and employees]~~;

27 (b) Establish an office, within the office of professional licensure and certification at
28 which all records and files of the board shall be kept ***in accordance with the retention policy***
29 ***established by the office of professional licensure and certification;***

30 (c) Maintain a telephone line or an electronic mail address for the purpose of accepting
31 consumer complaints;

32 (d) Keep a record of its proceedings ***in accordance with the retention policy***
33 ***established by the office of professional licensure and certification;***

34 197:34 Barbering, Cosmetology, Esthetics; Applications. Amend RSA 313-A:16 to read as
35 follows:

36 313-A:16 Applications. Applicants shall make written application to the ~~[secretary of the]~~ board
37 on a form prescribed and supplied by the ~~[board]~~ ***office of professional licensure and***

CHAPTER 197
SB 58 - FINAL VERSION
- Page 10 -

1 ***certification*** which shall contain satisfactory evidence of the qualifications required of the
2 applicant; and the applicant shall also pay the examination fee.

3 197:35 Repeals; Barbering, Cosmetology, Esthetics. The following are repealed:

4 I. RSA 313-A:6, relative to compensation of board members.

5 II. RSA 313-A:7, I(f) and (g), relative to reports and fees.

6 197:36 Body Art; Advisory Board; Compensation. Amend the introductory paragraph of RSA
7 314-A:14 to read as follows:

8 314-A:14 Advisory Board of Body Art Practitioners. The executive director shall establish the
9 advisory board of body art practitioners. The board shall consist of 3 body art practitioners who are
10 licensees in the state of New Hampshire. Each member shall be appointed to a term of 3 years. No
11 member shall serve more than 2 consecutive full terms. ~~[Each member of the advisory board shall~~
12 ~~receive as compensation the sum of \$45 for each day actually devoted to the work of the advisory~~
13 ~~board and shall be reimbursed for necessary traveling expenses incurred in the discharge of such~~
14 ~~duty.]~~ The advisory board shall:

15 197:37 Chiropractic; Rulemaking. Amend RSA 316-A:3, IV to read as follows:

16 IV. Procedures for oral examinations and interviews, if appropriate. Such rules shall
17 include a listing of permissible areas of inquiry and a statement of the means by which the inquiry
18 shall be recorded. Transcripts or recordings shall be maintained by the board or commission ~~[for a~~
19 ~~period of not less than 90 days]~~ ***in accordance with the retention policy established by the***
20 ***office of professional licensure and certification.***

21 197:38 Chiropractic; Board Meetings. Amend RSA 316-A:7 to read as follows:

22 316-A:7 Organization; Meetings. The board shall elect a chairperson ~~[and a secretary-~~
23 ~~treasurer]~~. The board shall meet quarterly and at such other times as the business of the board
24 shall require. ***A quorum shall consist of a majority of the members of the board who have***
25 ***been approved by the governor and council.***

26 197:39 Repeals; Chiropractic. The following are repealed:

27 I. RSA 316-A:3, VIII, IX, and XVII, relative to rules on licensee information and fees.

28 II. RSA 316-A:6, relative to board member successors.

29 III. RSA 316-A:9, relative to compensation of board members.

30 IV. RSA 316-A:10, relative to a report.

31 V. RSA 316-A:16, relative to licensure without exam of certain persons.

32 197:40 Dentistry; Board Meetings. Amend RSA 317-A:4, II to read as follows:

33 II. The board shall choose one of its members as its president and one of its members as
34 vice-president. ~~[Five members]~~ ***A majority of the members of the board who have been***
35 ***approved by the governor and council*** shall constitute a quorum. No board action shall be taken
36 without an affirmative vote of the majority of board members present and eligible to participate in
37 the matter in question. Board members shall not be eligible to participate in a vote when the board

CHAPTER 197
SB 58 - FINAL VERSION
- Page 11 -

1 member has recused himself or herself from participation due to a conflict of interest. The board
2 shall meet once a year and at such other times and places as it may deem proper. A true record of
3 all their official acts shall be made and preserved by the ~~[board's executive director]~~ **office of**
4 **professional licensure and certification in accordance with the retention policy established**
5 **by the office**. The records shall be public and shall be open to inspection at all reasonable times,
6 except for records compiled in connection with disciplinary proceedings, which are subject to RSA
7 317-A:18.

8 197:41 New Paragraph; Dentistry; Professional Health Program. Amend RSA 317-A:16-a by
9 inserting after paragraph VI the following new paragraph:

10 VII. Rules governing the professional health program shall be implemented through the
11 office of professional licensure and certification pursuant to RSA 310-A:1-d, II(h)(4).

12 197:42 Dentistry; Licensure of Hygienists. Amend RSA 317-A:21, II to read as follows:

13 II. Applications for licensure as a dental hygienist shall be made to the board in writing and
14 shall be accompanied by a fee established by the ~~[board]~~ **office of professional licensure and**
15 **certification** and by satisfactory proof that the applicant is a graduate of a school of dentistry or a
16 school of dental hygiene with a minimum of a 2-year program in an institution of higher education,
17 the program of which is accredited by a national accrediting agency recognized by the United States
18 Department of Education and the Commission on Dental Accreditation.

19 197:43 Repeals; Dentistry. The following are repealed:

20 I. RSA 317-A:2, III, relative to compensation of board members.

21 II. RSA 317-A:2-a, I(d), relative to compensation of hygienists committee members.

22 III. RSA 317-A:4, I(d)-(f), relative to duties of the board.

23 IV. RSA 317-A:5, relative to reports and receipts.

24 V. RSA 317-A:10, relative to attested licenses.

25 VI. RSA 317-A:12, I, II, V, VII, VIII, and X, relative to rules on applications and fees.

26 VII. RSA 317-A:18, II, relative to retaining experts for investigations.

27 197:44 Dietitians; Board Records. Amend RSA 326-H:9, III to read as follows:

28 III. Maintain a true record of the board's official acts **through the office of professional**
29 **licensure and certification and in accordance with the retention policy established by the**
30 **office**, which shall be public and open to inspection at all reasonable times, except for records
31 compiled in connection with disciplinary proceedings.

32 197:45 Dietitians; Rules. Amend RSA 326-H:10, I to read as follows:

33 I. The ~~[application procedures]~~ **eligibility requirements** for licensure or temporary
34 licensure to practice as a licensed dietitian in this state.

35 197:46 Dietitians; License Fees. Amend RSA 326-H:12, V to read as follows:

36 V. Pay the ~~[\$110]~~ license fee **established by the office of professional licensure and**
37 **certification**.

CHAPTER 197
SB 58 - FINAL VERSION
- Page 12 -

197:47 Dieticians; License Renewals. Amend RSA 326-H:14, II to read as follows:

II. All licenses issued by the board shall be renewed biennially or reissued pursuant to rules adopted and upon payment of a ~~[\$110]~~ license renewal fee ***established by the office of professional licensure and certification***. The board shall cause notification of impending license expiration to be sent to each licensed person at least 60 days prior to the expiration of the license. Licenses shall continue as valid until final action is exercised by the board on an application for renewal, provided that the application is filed before the expiration date of the license.

197:48 Repeal; Dieticians. The following are repealed:

I. RSA 326-H:7, IV, relative to travel expenses for board members.

II. RSA 326-H:10, III, V, and VIII, relative to rules on fees.

197:49 Repeal; Electrologists. RSA 314:2-a, IV, relative to compensation for the electrology advisory committee, is repealed.

197:50 Funeral Directors; Board. Amend RSA 325:2, I to read as follows:

I. There shall be a board of registration of funeral directors and embalmers consisting of 5 members, including 4 funeral directors or embalmers and one public member, appointed by the governor, with the approval of the council, to serve terms of 5 years. No member of the board shall be appointed to more than 2 consecutive terms. ~~[The commissioner of the department of health and human services, or his designee, shall serve as a non-voting secretary of the board.]~~

197:51 Funeral Directors; Quorum. Amend RSA 325:8 to read as follows:

325:8 Organization; Quorum. Within 30 days after appointment and qualification of a member, the board shall meet and elect from among its members a chairperson and such other officers as the board may provide for by rule. This organization shall continue until the appointment of a new member or upon the resignation of an existing board officer. The office of secretary and treasurer may be held by one member. ~~[Three members]~~ ***A majority of the members of the board who have been approved by the governor and council*** shall constitute a quorum for the transaction of business.

197:52 Funeral Directors; Rules. Amend RSA 325:9, IV to read as follows:

IV. ~~[How a license to practice under this chapter shall be renewed]~~ ***Eligibility requirements for renewal of license***, including the requirements for continuing education;

197:53 Funeral Directors; Licensure. Amend RSA 325:20 to read as follows:

325:20 Licensure. The board shall issue to each applicant successfully passing the examination, where an examination is required, and who otherwise satisfies the board of ***her or*** his qualifications, a license, ~~[signed by all the members of the board,]~~ entitling ***her or*** him to practice or engage in the business in this state as a funeral director, embalmer, or both, as the case may be.

197:54 Funeral Directors; Interstate Agreements. Amend RSA 325:22-a to read as follows:

325:22-a Interstate Agreements. The board may enter into an agreement with the corresponding licensing authority of any other state competent to enter into such agreement which

CHAPTER 197
SB 58 - FINAL VERSION
- Page 13 -

1 shall permit a nonresident person duly registered and licensed as a funeral director or embalmer in
2 any state signing the agreement with the board to go into the other state for the purpose of handling,
3 embalming, transporting, and burying dead human bodies and directing funerals as though he **or**
4 **she** were licensed under the laws of New Hampshire, except that he **or she** shall not maintain an
5 establishment, advertise, have any agent or agency, or otherwise hold himself **or herself** out as a
6 funeral director or embalmer other than in his **or her** native state; provided that the agreement will
7 set forth that the licensing authority of the state in which the funeral director or embalmer is
8 licensed will assume the responsibility for instituting disciplinary action against any licensed
9 funeral directors or embalmers who may be guilty of unprofessional conduct in the practice of their
10 business in New Hampshire when such is reported by this board and the same to apply to New
11 Hampshire **individuals** licensed ~~[men]~~ **under this chapter**.

12 197:55 Funeral Directors; Notification. Amend RSA 325:24 to read as follows:

13 325:24 Notices of Expiration. On or before May 15 of each odd-numbered year, the board shall
14 ~~[mail to]~~ **notify** each holder of a license ~~[a notice]~~ of the expiration of **her or** his license and an
15 application for the renewal thereof.

16 197:56 Repeal; Funeral Directors. The following are repealed:

- 17 I. RSA 325:6, relative compensation of board members.
- 18 II. RSA 325:9, I and V, relative to rules on applications and fees.
- 19 III. RSA 325:11, relative to a register of licensees.
- 20 IV. RSA 325:12, relative to a board treasurer.
- 21 V. RSA 325:33, II, relative to investigations.
- 22 VI. RSA 325:39, relative to an account.
- 23 VII. RSA 325:42, relative to a special fund.

24 197:57 Hearing Care Providers; Board of Hearing Care Providers. Amend RSA 137-F:3, VII to
25 read as follows:

26 VII. A quorum of the board shall be ~~[4 members]~~ **a majority of the members of the board**
27 **who have been approved by the governor and council**.

28 197:58 Hearing Care Providers; Rulemaking. Amend RSA 137-F:6, I and II to read as follows:

- 29 I. The ~~[form and]~~ content of audiologist license applications and examinations.
- 30 II. The ~~[form and]~~ content of hearing aid dealer registration applications and examinations.

31 197:59 Hearing Care Providers; Application for Registration; Fees. RSA 137-F:9 is repealed and
32 reenacted to read as follows:

33 137-F:9 Application for Registration. An application for a certificate of registration under this
34 chapter shall be filed with the board in such form and detail as required in accordance with rules
35 adopted under RSA 541-A.

36 197:60 Hearing Care Providers; Record. RSA 137-F:29 is repealed and reenacted to read as
37 follows:

CHAPTER 197
SB 58 - FINAL VERSION
- Page 14 -

1 137-F:29 Record. The board shall maintain a record of its proceedings in accordance with the
2 retention policy established by the office of professional licensure and certification.

3 197:61 Repeal; Hearing Care Providers. The following are repealed:

4 I. RSA 137-F:3, V, relative to mileage for members of board of hearing care providers.

5 II. RSA 137-F:4, relative to board subcommittees.

6 III. RSA 137-F:5, VIII and IX, relative to certain powers and duties of the board.

7 IV. RSA 137-F:6, V, relative to the board's rulemaking authority.

8 V. RSA 137-F:21, III, relative to the board's authority to appoint legal counsel and
9 investigatory experts.

10 197:62 Medical Imaging and Radiation Therapy; Board Responsibilities. Amend RSA 328-J:7 to
11 read as follows:

12 328-J:7 Board Responsibilities; Rulemaking Authority. The board shall adopt rules, pursuant to
13 RSA 541-A, relative to:

14 I. ~~[The application procedure for any license issued under this chapter.~~

15 ~~II.]~~ The qualifications of applicants in addition to those required by statute.

16 ~~III.]~~ **II.** The ~~[design and]~~ content of all forms required under this chapter.

17 ~~IV.]~~ ~~The establishment of all fees required under this chapter.~~

18 ~~V.]~~ **III.** How an applicant shall be examined, including:

19 (a) Time and place of examination.

20 (b) The subjects to be tested.

21 (c) Passing grade.

22 (d) Disposition of examination papers.

23 ~~VI.]~~ ~~How a license shall be renewed, reinstated, or placed on inactive status.~~

24 ~~VII.]~~ **IV.** Ethical standards, required to be met by each limited x-ray machine operator,
25 medical imaging professional, and radiation therapist licensed under this chapter, and how a license
26 may be revoked for violation of these standards.

27 ~~VIII.]~~ **V.** Establishment of the scope of practice for limited x-ray machine operators, medical
28 imaging professionals, and radiation therapists.

29 ~~IX.]~~ **VI.** Procedures for assuring the continuing competence of limited x-ray machine
30 operators, medical imaging professionals, and radiation therapists licensed under this chapter
31 including, but not limited to, continuing education requirements and the professional's health
32 program.

33 ~~X.]~~ **VII.** How licensees shall provide evidence of good professional character and reliability
34 to satisfy the board that they shall faithfully and conscientiously avoid professional misconduct and
35 otherwise adhere to the requirements of this chapter.

36 ~~XI.]~~ **VIII.** Procedures for accepting and responding to written complaints, publicizing the
37 complaint procedure, standards of and procedures for conducting investigations, investigator

CHAPTER 197
SB 58 - FINAL VERSION
- Page 15 -

1 training requirements, and procedures for conducting disciplinary hearings and alternative dispute
2 resolution under this chapter.

3 ~~[XII.]~~ **IX.** Procedures relative to the disclosure to the public of final disciplinary actions by
4 the board, including those actions that occur without holding a public hearing. Dismissed
5 complaints shall not be made public.

6 ~~[XIII.]~~ **X.** Standards of care for the practice of telemedicine or telehealth.

7 ~~[XIV.]~~ **XI.** Interstate licensure and temporary permits under RSA 328-J:20.

8 ~~[XV.]~~ **XII.** ~~[Procedures for an educational program review and approval to follow in making~~
9 ~~application for]~~ **Standards for educational program** approval by the board.

10 ~~[XVI.]~~ **XIII.** A process for reviewing the accreditation status of an educational program
11 which is currently accredited by a recognized national educational accreditation organization.

12 197:63 Medical Imaging and Radiation Therapy; Hearings. Amend RSA 328-J:18, V to read as
13 follows:

14 V. Any disciplinary action by the board shall be ~~[published in the report of the board and~~
15 ~~shall be]~~ a public record in accordance with RSA 91-A.

16 197:64 Repeal; Medical Imaging and Radiation Therapy. RSA 328-J:3, IV, relative to
17 compensation for members of the board of medical imaging and radiation therapy, is repealed.

18 197:65 Board of Registration of Medical Technicians; Rulemaking. RSA 328-I:4 is repealed and
19 reenacted to read as follows:

20 328-I:4 Rulemaking. The board shall adopt rules, pursuant to RSA 541-A, relative to:

21 I. Registration eligibility requirements.

22 II. Eligibility requirements for renewal or reinstatement of a registration to work as a
23 medical technician.

24 III. The conduct of investigations and hearings, in accordance with RSA 328-I:11.

25 IV. Procedures for notice and hearing prior to denial, suspension, or revocation of a
26 registration and the imposition of administrative fines.

27 V. Procedures for the approval or denial of an application.

28 VI. Procedures for sharing information with other in-state boards, the office of inspector
29 general, department of health and human services, out-of-state boards, and law enforcement
30 entities.

31 197:66 Repeals; Board of Registration of Medical Technicians. The following are repealed:

32 I. RSA 328-I:2, III, relative to compensation for members of the board of registration of
33 medical technicians.

34 II. RSA 328-I:3, V, VII, VIII, IX, and X, relative to certain duties of the board.

35 III. RSA 328-I:10, XI, relative to notice of disciplinary actions by the board.

36 IV. RSA 328-I:15, relative to the board's annual report.

CHAPTER 197
SB 58 - FINAL VERSION
- Page 16 -

197:67 Physician Assistants; Conditions for Licensure. Amend the introductory paragraph of RSA 328-D:3, I to read as follows:

I. To apply for licensure by the board as a physician assistant, an applicant shall file a written application on forms provided by the ~~board~~ **office of professional licensure and certification** and pay an application fee. The applicant to be licensed shall:

197:68 Physician Assistants; Rulemaking. Amend RSA 328-D:10, I,(b) to read as follows:

(b) ~~Form and~~ Content of the application for licensure.

197:69 Physician Assistants; Recordkeeping. RSA 328-D:11 is repealed and reenacted to read as follows:

328-D:11 Recordkeeping. The board shall keep a record of its proceedings under this chapter in accordance with the retention policy established by the office of professional licensure and certification.

197:70 Repeal; Physician Assistants. RSA 328-D:10, I(c) relative to the board of medicine's rulemaking authority regarding application procedures, is repealed.

197:71 Physicians and Surgeons; Records. Amend RSA 329:8 to read as follows:

329:8 Records. A true record of all of the board's official acts shall be made and preserved ~~by the administrator~~ **in accordance with the retention policy established by the office of professional licensure and certification**. The records shall be public and shall be open to inspection at all reasonable times, except for records compiled in connection with disciplinary investigations and records otherwise exempt from disclosure under RSA 91-A, RSA 329:18, or other applicable statutes.

197:72 Physicians and Surgeons; Professionals' Health Program. Amend RSA 329:13-b, V(a) to read as follows:

V.(a) The ~~board~~ **office of professional licensure and certification** may contract with other organizations to operate the professionals' health program for physicians and physician assistants who are impaired or potentially impaired because of mental or physical illness including substance abuse or disruptive behavior. This program shall be available to all physicians and physician assistants licensed in this state, all physicians and physician assistants seeking licensure in this state, and all resident physicians in training, and shall include, but shall not be limited to, education, intervention, ongoing care or treatment, and post-treatment monitoring.

197:73 New Paragraph; Physicians and Surgeons; Professionals' Health Program. Amend RSA 329:13-b by inserting after paragraph VI the following new paragraph:

VII. Rules governing the program shall be implemented through the office of professional licensure and certification pursuant to RSA 310-A:1-d, II(h)(4).

197:74 Physicians and Surgeons; Notice of Renewal. Amend RSA 329:16-d to read as follows:

CHAPTER 197
SB 58 - FINAL VERSION
- Page 17 -

329:16-d Notice of Renewal. On or before March 1 of each licensee's renewal year, the board shall ~~mail~~ **notify** each licensee, except those on the inactive list, an application for renewal of license.

197:75 Physicians and Surgeons; Disciplinary Action. Amend RSA 329:17, V-a to read as follows:

V-a. A medical review subcommittee of 13 members shall be nominated by the board of medicine and appointed by the governor and council. The subcommittee shall consist of 13 persons, 9 of whom shall be physicians, one of whom shall be a physician assistant, and 3 of whom shall be public members. One of the physician members shall practice in the area of pain medicine and anesthesiology. No public member of the subcommittee shall be or ever have been a member of the medical profession or the spouse of a member of the medical profession. No public member shall have or ever have had a material financial interest in either the provision of medical services or an activity directly related to medicine, including the representation of the board or profession for a fee. The terms of the public members shall be staggered so that no 2 public members' terms expire in the same year. The subcommittee members shall be appointed for 3-year terms, and shall serve no more than 2 terms. Upon referral by the board, the subcommittee shall review disciplinary actions reported to the board under paragraphs II-V of this section, except that matters concerning a medical director involved in a current internal or external grievance pursuant to RSA 420-J shall not be reviewed until the grievance process has been completed. Following review of each case, the subcommittee shall make recommendations to the board. ~~[Funds shall be appropriated from the general fund for use by the subcommittee to investigate allegations under paragraphs I-V of this section.]~~ The state of New Hampshire, by the board and the office of professional licensure and certification, and with the approval of governor and council, shall contract with a qualified physician to serve as a medical review subcommittee investigator.

197:76 Physicians and Surgeons; Disciplinary Action. Amend RSA 329:17, XIII to read as follows:

XIII. When an investigation of a complaint against a licensee is determined to be unfounded, the board shall dismiss the complaint and explain in writing to the complainant its reason for dismissing the complaint. The board may destroy all information collected during the course of the investigation ~~[after 3 years]~~ **in accordance with the retention policy established by the office of professional licensure and certification.** The board shall retain a record only noting that an investigation was conducted and that the board determined the complaint to be unfounded. For the purpose of this paragraph, a complaint shall be deemed to be unfounded if it does not fall within the jurisdiction of the board, does not relate to the actions of the licensee, or is determined by the board to be frivolous.

197:77 Physicians and Surgeons; Denial or Revocation of License. Amend RSA 329:18, II to read as follows:

CHAPTER 197
SB 58 - FINAL VERSION
- Page 18 -

1 II. The board through the office of professional licensure and certification may retain expert
2 witnesses or other qualified persons to assist with any investigation or adjudicatory proceeding.
3 Members of the board are not eligible for retainment. ~~[The board may also retain special legal~~
4 ~~counsel in instances when recommended by the attorney general. To the extent the board's existing~~
5 ~~appropriation does not include funds covering such expenditures, the board through the office of~~
6 ~~professional licensure and certification may request the governor and council to expend funds not~~
7 ~~otherwise appropriated on the condition that such funds be recovered in the board's next budget at~~
8 ~~the rate of 125 percent.]~~

9 197:78 Repeal; Physicians and Surgeons. The following are repealed:

10 I. RSA 329:2, II(e), III, and IV, relative to duties of the board of medicine regarding
11 physicians and surgeons.

12 II. RSA 329:5, relative to compensation for members of the board and the medical review
13 subcommittee.

14 III. RSA 329:9, I and VII, relative to rulemaking authority regarding applications, and fees.

15 IV. RSA 329:14, IV, relative to license format.

16 V. RSA 329:19, relative to record of accounts.

17 197:79 Mental Health Practice; Committees Established; Duties. Amend RSA 330-A:4, I and I-a
18 to read as follows:

19 I. The board ~~[shall]~~ **may** create an advisory committee for each mental health discipline it
20 licenses for the purpose of assisting the board in its responsibilities under RSA 330-A:10, II, and
21 RSA 330-A:10, VII-XV. The board member of each mental health discipline shall serve as the chair
22 of that advisory committee. The balance of the membership of each of the advisory committees shall
23 be composed of at least 2 persons and no more than 4 persons licensed in the mental health
24 discipline of that committee.

25 I-a. The board ~~[shall]~~ **may** create a professional conduct investigation committee for the
26 purpose of assisting the board in its responsibilities under RSA 330-A:28 and RSA 330-A:29. A
27 board investigator, appointed by the chairperson of the board with the advice of the board, shall
28 serve as the chair of the professional conduct investigation committee. The balance of the
29 membership of the professional conduct investigation committee shall be composed of one licensed
30 clinical social worker, one licensed clinical mental health counselor, and additional members from
31 the professions licensed by the board to a maximum of 12 members.

32 197:80 Mental Health Practice; Organization and Meetings. Amend RSA 330-A:9, I to read as
33 follows:

34 I. The board shall hold regular annual meetings. Other meetings of the board shall be held
35 at such times and upon such notice as the rules of the board provide. ~~[Five members]~~ **A majority of**
36 **the members of the board who have been approved by the governor and council** shall
37 constitute a quorum.

CHAPTER 197
SB 58 - FINAL VERSION
- Page 19 -

1 197:81 Mental Health Practice; Board; Responsibilities and Rulemaking Authority. RSA 330-
2 A:10 is repealed and reenacted to read as follows:

3 330-A:10 Board; Responsibilities and Rulemaking Authority. The board shall adopt rules,
4 pursuant to RSA 541-A, relative to:

5 I. Procedures for expedited licensure for applicants from other states who qualify under RSA
6 330-A:26.

7 II. The qualifications of applicants in addition to those requirements set by statute.

8 III. How an applicant shall be examined, including:

9 (a) Time and place of examination.

10 (b) The subjects to be tested.

11 (c) Passing grade.

12 (d) Disposition of examination papers.

13 IV. Ethical standards, as promulgated by the American Association of Pastoral Counselors,
14 required to be met by each pastoral psychotherapist licensed under this chapter, and how a license
15 may be revoked for violation of these standards.

16 V. Ethical standards, as promulgated by the National Association of Social Workers,
17 required to be met by each licensed clinical social worker, and how a license may be revoked for
18 violation of these standards.

19 VI. Ethical standards, including those promulgated by the American Clinical Mental Health
20 Counselors Association, required to be met by each licensed clinical mental health counselor, and
21 how a license may be revoked for violations of these standards.

22 VII. Ethical standards, including those promulgated by the American Association of
23 Marriage and Family Therapy, required to be met by each licensed marriage and family therapist,
24 and how a license may be revoked for violations of these standards.

25 VIII. Compliance with the mental health client bill of rights as authorized under RSA 330-
26 A:15.

27 IX. Procedures, standards, and supervision requirements for candidates for licensure as a
28 member of one of the licensed mental health disciplines, consistent with the standards established
29 by the advisory committee for each of the licensed mental health disciplines. All candidates for
30 licensure shall be documented with the board. The supervision shall be at a location mutually
31 convenient to both the supervisor and the candidate for licensure.

32 X. Establishment of the scope of practice for each mental health discipline licensed under
33 this chapter, consistent with the standards established by the advisory committee for each of the
34 licensed mental health disciplines.

35 XI. Procedures for assuring the continuing competence of persons licensed under this
36 chapter including, but not limited to, continuing education requirements, provided that at least 3
37 hours of the required continuing education units for biennial renewal shall be from a nationally

CHAPTER 197
SB 58 - FINAL VERSION
- Page 20 -

1 recognized, evidence-based or best practices training organization in the area of suicide prevention,
2 intervention, or post-vention and how mental illness, substance use disorders, trauma, or
3 interpersonal violence directly impacts risk for suicide.

4 XII. How licensees shall provide evidence of good professional character and reliability to
5 satisfy the board that they shall faithfully and conscientiously avoid professional misconduct and
6 otherwise adhere to the requirements of this chapter.

7 XIII. Procedures for accepting and responding to written complaints, publicizing the
8 complaint procedure, standards of and procedures for conducting investigations, investigator
9 training requirements, and procedures for conducting disciplinary hearings under this chapter.

10 XIV. The content of the materials and information to be distributed under RSA 330-A:14.

11 XV. Procedures for receiving and addressing complaints against licensees who have had a
12 personal or professional relationship with a board member.

13 XVI. Requirements to be met by licensees relative to the disclosure of information to
14 patients and the general public concerning the nature of mental health care and the responsibilities
15 of mental health practitioners to clients in RSA 330-A:15, XV. Procedures and mechanisms for
16 providing interdisciplinary collaboration among the mental health disciplines.

17 197:82 Mental Health Practice; Applicants From Other States. Amend RSA 330-A:26, II to read
18 as follows:

19 II. An applicant whose state licensure meets the requirements in paragraph I shall be
20 allowed to practice in this state not more than 30 days after the application is received by the board,
21 pending final approval or denial of the license for other reason by the board. The board shall adopt
22 rules under RSA 330-A:10, I [~~and I-a~~] **relative** to [~~ensure the timely review and approval of~~
23 ~~applications under this section~~] **procedures for expedited licensure for applicants from other**
24 **states.**

25 197:83 Mental Health Practice; Hearings. Amend RSA 330-A:29, IV to read as follows:

26 IV. The respondent shall be heard in his or her defense either in person or by counsel and
27 may produce witnesses and testify in his or her behalf. A [~~stenographic~~] record of the hearing shall
28 be taken and preserved. The hearing may be adjourned from time to time.

29 197:84 Repeal; Mental Health Practice. The following are repealed:

30 I. RSA 330-A:7, relative to compensation and expenses.

31 II. RSA 330-A:13, relative to records and reports.

32 197:85 Midwifery; Powers and Duties of the Council. Amend RSA 326-D:4, I to read as follows:

33 I. The powers and duties of the council shall include:

34 (a) Certifying eligible applicants for certification under this chapter.

35 (b) [~~Establishing fees for examination of applicants.~~

36 (e)] Investigating complaints against persons certified under this chapter.

CHAPTER 197
SB 58 - FINAL VERSION
- Page 21 -

1 ~~[(d)]~~ **(c)** Undertaking, when appropriate, disciplinary proceedings and disciplinary
2 action against persons certified under this chapter.

3 ~~[(e) — Reporting to the commissioner immediately on all complaints received and~~
4 ~~disciplinary action taken.]~~

5 197:86 Midwifery; Rulemaking. Amend RSA 326-D:5 to read as follows:

6 326-D:5 Rulemaking.

7 I. The council shall adopt rules, pursuant to RSA 541-A, relative to:

8 (a) Qualifications for the practice of midwifery.

9 (b) The teaching of midwifery.

10 (c) The scope of practice and procedures in the practice of midwifery, including policies
11 for professional direction and supervision.

12 (d) ~~[Procedures]~~ **Eligibility requirements** for the certification of midwives and the
13 issuance of certificates of midwifery, including procedures for provisional certification and
14 recertification after certification has lapsed.

15 (e) Renewal ~~[procedures]~~ **eligibility requirements**, including requirements for
16 continuing education and peer review.

17 (f) Diagnostic and laboratory tests midwives may administer and perform and the
18 proper administration of RSA 326-D:12.

19 (g) Standards for reciprocity.

20 (h) ~~[Establishing examination fees authorized under RSA 326-D:4, I(b)].~~

21 ~~[(i)]~~ Establishing all administrative fines authorized under RSA 326-D:8, III(a)(4).

22 ~~[(j)]~~ **(i)** Reporting requirements relative to client information and notification of
23 transfers.

24 II. No rule relative to the scope of midwifery practice shall exceed the parameters of the
25 definition of "midwifery" under RSA 326-D:2, V.

26 III. Notwithstanding RSA 541-A:16, I(b)(2), the council shall adopt the model rules for
27 adjudicative hearings adopted by the attorney general under RSA 541-A:30-a. The council may
28 adopt supplements or modifications to the model rules pursuant to RSA 541-A:30-a, IV. Rehearings
29 and appeals to the council shall be conducted pursuant to the provisions of RSA 541.

30 197:87 Midwifery; Council Established. Amend RSA 326-D:3, IV to read as follows:

31 IV. Members of the council shall elect a chairperson annually from among their members.
32 The council shall meet at least quarterly and may hold additional meetings at such times as it may
33 deem necessary. A quorum of the council shall consist of ~~[no fewer than 4 members]~~ **a majority of**
34 **the members of the council who have been approved by the governor and council.**

35 197:88 Midwifery; Certificate of Renewal; Continuing Education. Amend RSA 326-D:11 to read
36 as follows:

CHAPTER 197
SB 58 - FINAL VERSION
- Page 22 -

326-D:11 Certificate Renewal; Continuing Education. Every person certified under this chapter shall apply to the council for certificate renewal every 2 years. Renewals of certificates shall be contingent upon presentation of satisfactory evidence to the council of having met the continuing education requirements established by the council pursuant to RSA 326-D:5, I(e) and shall be accompanied by the renewal fee established ~~[pursuant to RSA 326-D:4, I(b)]~~ **by the office of professional licensure and certification**. All certificates shall automatically lapse 2 years after the date of issuance unless a timely and complete renewal application has been filed with the council. In no event shall a certificate, for which a timely and complete application for renewal has been submitted, expire before the council has taken final action upon the application.

197:89 Repeals; Midwifery. The following are repealed:

I. RSA 326-D:2, III relative to a definition of commissioner.

II. RSA 326-D:9, relative to a report.

III. RSA 326-D:10, relative to powers and duties of commissioner.

197:90 Naturopathic Health Care Practice; Naturopathic Board of Examiners. Amend RSA 328-E:7, V to read as follows:

V. Members of the board shall elect a chairperson annually from among the members. ~~[Three]~~ **A majority of the** members of the board **who have been approved by the governor and council** constitute a quorum for the transaction of business.

197:91 Naturopathic Health Care Practice; Powers and Duties of the Board. RSA 328-E:8 is repealed and reenacted to read as follows:

328-E:8 Powers and Duties of the Board.

I. The board shall:

(a) Insure that doctors of naturopathic medicine serving the public meet minimum standards of proficiency and competency to protect the health, safety and welfare of the public.

(b) Administer and enforce all provisions of this chapter, which pertain to licensees and applicants, and all rules adopted by the board under the authority granted in this chapter.

(c) Maintain a record of its acts and proceedings, including the issuance, refusal, renewal, suspension or revocation of licenses in accordance with the retention schedule established by the office of professional licensure and certification.

(d) Keep all applications for licensure in accordance with the retention policy established by the office of professional licensure and certification.

(e) Maintain a record of the results of all examinations it gives in accordance with the office of professional licensure and certification.

(f) Keep all examination records including written examination records and tape recordings of the questions and answers in oral examinations in accordance with the retention policy established by the office of professional licensure and certification.

(g) Keep the records of the board open to public inspection at all reasonable times.

CHAPTER 197
SB 58 - FINAL VERSION
- Page 23 -

1 (h) Adopt and use a seal, the imprint of which, together with the signatures of the
2 chairman or vice-chairman and the secretary-treasurer of the board, shall evidence its official acts.

3 (i) Annually compile and publish a directory.

4 II. The board shall have the power to subpoena witnesses and administer oaths in any
5 hearing or disciplinary proceedings, and to compel, by subpoena duces tecum, the production of
6 papers and records.

7 III. Witnesses summoned before the board shall be paid the same fees as witnesses
8 summoned to appear before the superior court, and such summons shall have the same effect as
9 though issued for appearance before such court.

10 IV. The board shall accept written complaints from the public against licensees and conduct
11 necessary investigations of such complaints.

12 197:92 Repeal; Naturopathic Health Care. RSA 328-E:7, VI, relative to the board serving
13 without pay, is repealed.

14 197:93 Nurse Practice Act; Rulemaking Authority. Amend RSA 326-B:9, I and II to read as
15 follows:

16 I. ~~[Application procedures and]~~ Eligibility requirements for the issuance of all initial,
17 temporary, and renewal licenses, specialty licenses, and certificates issued by the board, including
18 the issuance of such licenses to applicants holding a currently valid license or other authorization to
19 practice in another jurisdiction.

20 II. ~~[Application procedures and]~~ Eligibility requirements for the reinstatement of licenses
21 after lapse and after disciplinary action.

22 197:94 Nurse Practice Act; Alternative Recovery Monitoring Program. Amend RSA 326-B:36-a,
23 VI to read as follows:

24 VI.(a) The ~~[board]~~ **office of professional licensure and certification** shall contract with
25 other organizations to operate the alternative recovery monitoring program for licensees who are
26 impaired by substance use disorder or mental or physical illness. This program may include, but
27 shall not be limited to, assessment, education, intervention, drug and alcohol testing, temporary
28 suspension or limitation of clinical privileges, drug addiction counseling, participation in peer
29 support groups, record keeping with respect to success and failure rates, post-treatment assessment
30 and monitoring, and other alternatives approved by the board.

31 (b) The ~~[board]~~ **office of professional licensure and certification** may allocate
32 amounts determined by the board from the annual license renewal fees it collects from licensees in
33 each class of nurses licensed by the board, to provide funding for the alternative recovery monitoring
34 program as set forth in subparagraph (a).

35 (c) ~~[No later than July 1, 2019, the board shall adopt rules under RSA 541-A for the~~
36 ~~procedures and other matters required to implement this section]~~ **Rules governing this program**

CHAPTER 197
SB 58 - FINAL VERSION
- Page 24 -

1 *shall be implemented through the office of professional licensure and certification*
2 *pursuant to RSA 310-A:1-d, II(h)(4).*

3 197:95 Repeal; Nurse Practice Act. RSA 326-B:3, VII, relative to compensation of members of
4 the board of nursing, is repealed.

5 197:96 Nursing Home Administrators; Licenses. Amend RSA 151-A:7, III and IV to read as
6 follows:

7 III. ~~[Any license issued by the board under or pursuant to the provisions of this section shall~~
8 ~~be under the hand and seal of the secretary of the board.~~

9 IV.] If the board finds that programs of training and instruction conducted within the state
10 are not sufficient in number or content to enable nursing home administrators to meet requirements
11 established pursuant to this chapter, the board may request the department of health and human
12 services to institute and conduct or arrange with others to conduct one or more such programs, and
13 shall make provision for their accessibility to residents of this state. The department of health and
14 human services may approve programs conducted within and without this state as sufficient to meet
15 education and training requirements established pursuant to this chapter. For purposes of this
16 paragraph, the department of health and human services shall have the authority to receive and
17 disburse state funds allocated for this purpose and federal funds received pursuant to section
18 1908(e)(1) of the Social Security Act.

19 197:97 Nursing Home Administrators; Registration. Amend RSA 151-A:8, II-IV to read as
20 follows:

21 II. Upon making an application for a new certificate of registration such individual shall pay
22 a [\$300] biennial registration renewal fee *established by the office of professional licensure and*
23 *certification.*

24 III. Upon receipt of such application for registration, the registration fee and the evidence
25 required with respect to the rules and regulations of the board, the board shall issue a certificate of
26 registration to such nursing home administrator.

27 IV. Upon complaint or other knowledge of a nursing home administrator's violation of any
28 provision of this chapter and for the health, safety, and protection of the public, the board is granted
29 emergency license suspension authority. The ~~[secretary of the]~~ board may~~[-upon recommendation of~~
30 ~~the board,]~~ immediately suspend an administrator's license to practice, pending notice and hearing
31 as provided under RSA 541-A. For any license so suspended, the ~~[secretary]~~ **board** shall also notify
32 the bureau of health facilities administration.

33 197:98 Repeal; Nursing Home Administrators. The following are repealed:

34 I. RSA 151-A:3, III(d), relative to compensation for members of the board of examiners of
35 nursing home administrators.

36 II. RSA 151-A:3, V and VI, relative to the secretary of the board and administrative
37 attachment.

CHAPTER 197
SB 58 - FINAL VERSION
- Page 25 -

1 III. RSA 151-A:8, VII, relative to maintaining a register of applications for licensing and
2 registration of nursing home administrators.

3 197:99 Ophthalmic Dispensing; Rulemaking. Amend RSA 327-A:12, I and II to read as follows:

4 I. ~~[The]~~ ***Eligibility requirements for*** registration ~~[application form and content, and the~~
5 ~~license application procedures]~~.

6 II. ~~[The application form, content, and procedure]~~ ***Eligibility requirements*** for a renewal
7 or reinstatement of a registration to practice ophthalmic dispensing, in accordance with RSA 327-
8 A:3.

9 197:100 Optometry; Rulemaking Authority. RSA 327:31, I-X are repealed and reenacted to read
10 as follows:

11 I. The qualifications of applicants in addition to those requirements set by RSA 327:6 and
12 RSA 327:6-a;

13 II. How an applicant shall be examined including:

14 (a) Time and place of examination, and

15 (b) Passing grade;

16 III. How a license to practice optometry shall be renewed or reinstated;

17 IV. Ethical and professional standards, in addition to those specified by RSA 327:20,
18 required to be met by each holder of a license to practice optometry and how disciplinary actions by
19 the board shall be implemented pursuant to RSA 327:21, RSA 327:22, and RSA 327:27 for violations
20 of these standards;

21 V. Requirements for continuing education in addition to those requirements set by RSA
22 327:33 and RSA 327:33-a;

23 VI. Additions or alterations to the defined pharmaceutical agents for diagnostic purposes as
24 set forth in RSA 327:1, III;

25 VII. Procedural and substantive requirements for assessing, compromising, and collecting
26 administrative fines as authorized by RSA 327:20, III(e); and

27 VIII. Prescribing controlled drugs pursuant to RSA 318-B:41.

28 197:101 Repeal; Optometry. The following are repealed.

29 I. RSA 327:4, relative to organization and reports.

30 II. RSA 327:5, relative to compensation.

31 III. RSA 327:33-b, relative to consumer publication.

32 197:102 Pharmacy Board; Inspectional Services. Amend RSA 318:9-a to read as follows:

33 318:9-a Inspectional Services. The pharmacy board ***through the office of professional***
34 ***licensure and certification*** shall provide inspectional services under this chapter and RSA 318-
35 B:25 to the board of medicine, the board of veterinary medicine, the board of podiatry, the board of
36 registration in optometry, the board of dental examiners, the board of nursing, and the naturopathic
37 board of examiners. ***Pharmacy board inspections shall be provided by pharmacists or***

CHAPTER 197
SB 58 - FINAL VERSION
- Page 26 -

pharmacy technicians licensed by the New Hampshire board of pharmacy who have training and experience regarding pharmacy statutes and rules.

197:103 Pharmacy Board; Required; Compliance. Amend RSA 318:37, II(b)(2) to read as follows:

(2) Submit to the New Hampshire pharmacy board an application for registration as provided by the ~~[New Hampshire pharmacy board]~~ ***office of professional licensure and certification;***

197:104 Pharmacy Board; Penalties. Amend RSA 318:55, III to read as follows:

III. For any order issued in resolution of a disciplinary proceeding before the board, the board may require that any licensee, permittee, registrant, or certificate holder found guilty of a charge involving any drug law or rule to pay to the board a sum not to exceed the reasonable cost of investigation and prosecution of the proceeding. The sum shall not exceed \$5,000. The costs to be assessed shall be fixed by the board and any sums recovered shall be paid to the state treasurer for deposit in the ~~[general fund]~~ ***office of professional licensure and certification fund.***

197:105 Repeal; Pharmacy Board. The following are repealed:

I. RSA 318:4, relative to the compensation of pharmacy board members.

II. RSA 318:5-a, I, III, V, VII, XI, and XI-b, relative to rulemaking on applications, forms and fees.

III. RSA 318:6, relative to the pharmacy board secretary.

IV. RSA 318:11, relative to pharmacy board reports.

V. RSA 318:51-e, I and IV, relative to rules for outsourcing facilities.

197:106 Podiatry; Requirements; Cross Reference Change. Amend RSA 315:2, II to read as follows:

II. Any person applying for licensure under this chapter, including any person seeking to restore or renew, shall provide the board with information relating to podiatric competence and professional conduct, in accordance with rules adopted under ~~[RSA 315:4, X]~~ ***RSA 315:4, V.***

197:107 Podiatry; Peer Review Committee. Amend RSA 315:2-a to read as follows:

315:2-a Peer Review Committee. The board ~~[shall]~~ ***may*** establish a peer review committee consisting of 2 podiatrists appointed by the board and one medical practitioner, appointed by the board subject to the approval of the board of medicine. Each appointee shall serve for a 2-year term.

197:108 Podiatry; Rulemaking Authority. RSA 315:4 is repealed and reenacted to read as follows:

315:4 Rulemaking Authority. The board shall adopt rules, pursuant to RSA 541-A, relative to:

I. The qualifications of applicants in addition to those requirements set by statute.

II. Eligibility requirements for renewal of licensure, including the requirements for continuing education.

III. Ethical standards required to be met by each holder of any license issued under this chapter and how such license may be revoked for violation of these standards.

CHAPTER 197
SB 58 - FINAL VERSION
- Page 27 -

1 IV. Procedures for the conduct of hearings.

2 V. The imposition of administrative fines authorized under RSA 315:9, III(f).

3 VI. Information required by the board in its application relative to the applicant's podiatric
4 competence and professional conduct.

5 VII. Prescribing controlled drugs pursuant to RSA 318-B:41.

6 197:109 Podiatry; Records and Reports. Amend RSA 315:5 to read as follows:

7 315:5 Records and Reports.

8 ~~[I.]~~ The board shall keep a true record of its official acts ***in accordance with the retention***
9 ***policy established by the office of professional licensure and certification.*** With the
10 exception of records compiled in connection with investigatory and deliberative aspects of
11 disciplinary investigations and material otherwise exempt from disclosure under RSA 91-A or other
12 applicable statutes, the board's records shall be subject to inspection at the board's office upon
13 reasonable notice during ordinary business hours.

14 ~~[II. The board shall keep a record of the names and residences of all persons holding licenses~~
15 ~~or privileges under this chapter and a record of all money received and disbursed by the board.~~

16 ~~III. The board shall report to the governor and council biennially in September. This report~~
17 ~~shall contain a full and complete account of all official actions taken during the preceding 2-year~~
18 ~~period, together with a statement of the receipts and disbursements of the board and such comments~~
19 ~~as the board in its discretion deems necessary.]~~

20 197:110 Podiatry; Notice of Expiration. Amend RSA 315:13 to read as follows:

21 315:13 Notice of Expiration. The secretary shall ~~[mail a]~~ ***provide*** notice to each holder of a
22 license that has not been renewed within 90 days of the expiration date, advising him or her of the
23 expiration of the license and the penalty of practicing podiatry without holding a license and the
24 condition and terms upon which his or her license may be reinstated.

25 197:111 Repeal; Podiatry. RSA 315:3, relative to compensation of members of the board of
26 podiatry, is repealed.

27 197:112 Controlled Drug Prescription Health and Safety Program; Operation. Amend RSA 318-
28 B:33, VI-VII to read as follows:

29 VI. The ~~[program administrator]~~ ***executive director*** may issue a waiver to a dispenser that
30 is unable to submit prescription information by electronic means. Such waiver may permit the
31 dispenser to submit prescription information by paper form or other means, provided all information
32 required by paragraph IV is submitted in this alternative format and within the established time
33 limit.

34 VII. The ~~[program administrator]~~ ***executive director*** may grant a reasonable extension to a
35 dispenser that is unable, for good cause, to submit all the information required by paragraph IV
36 within the established time limits.

CHAPTER 197
SB 58 - FINAL VERSION
- Page 28 -

1 197:113 Controlled Drug Prescription Health and Safety Program; Information. Amend RSA
2 318-B:35 to read as follows:

3 318-B:35 Providing Controlled Drug Prescription Health and Safety Information.

4 I. The ~~[program administrator]~~ **executive director** may provide information in the
5 prescription health and safety program upon request only to the following persons:

6 (a) By electronic or written request to prescribers, dispensers, and the chief medical
7 examiner and delegates within the state who are registered with the program:

8 (1) For the purpose of providing medical or pharmaceutical care to a specific patient;

9 (2) For reviewing information regarding prescriptions issued or dispensed by the
10 requester; or

11 (3) For the purpose of investigating the death of an individual.

12 (b) By written request, to:

13 (1) A patient who requests his or her own prescription monitoring information.

14 (2) The board of dentistry, the board of medicine, the board of nursing, the board of
15 registration in optometry, the board of podiatry, the board of veterinary medicine, and the pharmacy
16 board; provided, however, that the request is pursuant to the boards' official duties and
17 responsibilities and the disclosures to each board relate only to its licensees and only with respect to
18 those licensees whose prescribing or dispensing activities indicate possible fraudulent conduct.

19 (3) Authorized law enforcement officials on a case-by-case basis for the purpose of
20 investigation and prosecution of a criminal offense when presented with a court order based on
21 probable cause. No law enforcement agency or official shall have direct access to query program
22 information.

23 (4) [Repealed.]

24 (5) A practitioner or consultant retained by the office to review the system
25 information of an impaired practitioner program participant or a referral who has agreed to be
26 evaluated or monitored through the program and who has separately agreed in writing to the
27 consultant's access to and review of such information.

28 (c) By electronic or written request on a case-by-case basis to:

29 (1) A controlled prescription drug health and safety program from another state;
30 provided, that there is an agreement in place with the other state to ensure that the information is
31 used or disseminated pursuant to the requirements of this state.

32 (2) An entity that operates a secure interstate prescription drug data exchange
33 system for the purpose of interoperability and the mutual secure exchange of information among
34 prescription drug monitoring programs, provided that there is an agreement in place with the entity
35 to ensure that the information is used or disseminated pursuant to the requirements of this state.

36 (3) [Repealed.]

CHAPTER 197
SB 58 - FINAL VERSION
- Page 29 -

1 II. The ~~[program administrator]~~ **executive director** shall notify the appropriate regulatory
2 board listed in subparagraph I(b)(2) and the prescriber or dispenser at such regular intervals as may
3 be established by the office if there is reasonable cause to believe a violation of law or breach of
4 professional standards may have occurred. The program administrator shall provide prescription
5 information required or necessary for an investigation.

6 III. The ~~[program administrator]~~ **executive director** shall review the information to
7 identify information that appears to indicate whether a person may be obtaining prescriptions in a
8 manner that may represent misuse or abuse of schedule II-IV controlled substances. When such
9 information is identified, the program administrator shall notify the practitioner who prescribed the
10 prescription.

11 IV. The ~~[program administrator]~~ **executive director** shall make a report, at least annually,
12 commencing on November 1, 2019, to the senate president, the speaker of the house of
13 representatives, the oversight committee on health and human services, established in RSA 126-
14 A:13, the advisory council established in RSA 318-B:38 and the licensing boards of all professions
15 required to use the program relative to the effectiveness of the program.

16 197:114 Psychologists; Organization and Meetings. Amend RSA 329-B:9, I to read as follows:

17 I. The board shall hold regular annual meetings. Other meetings of the board shall be held
18 at such times and upon such notice as the rules of the board provide. ~~[Five members]~~ **A majority of**
19 **the members of the board who have been approved by the governor and council** shall
20 constitute a quorum.

21 197:115 Psychologists; Records. Amend RSA 329-B:13 to read as follows:

22 329-B:13 Records and Reports.

23 ~~[I.]~~ The board shall keep records of its proceedings and separate registers of all applications
24 for licensure and all complaints filed against licensees **in accordance with the retention policy**
25 **established by the office of professional licensure and certification**. Such records shall show
26 information relative to the application or complaint and the board's response to the application or
27 complaint, without disclosing the identity of those involved, as the rules of the board may prescribe.
28 The records shall be public and shall be open to inspection at all reasonable times, except for records
29 compiled in connection with disciplinary investigations and records otherwise exempt from
30 disclosure under RSA 91-A or other applicable statutes.

31 ~~[II. Biennially, as of October 1, the board shall submit to the governor a report of the~~
32 ~~applications, licensure, and other activity of the preceding biennium, and shall also transmit a~~
33 ~~complete statement of the expenditures of the board.]~~

34 197:116 Psychologists; Hearings. Amend RSA 329-B:23, IV to read as follows:

35 IV. The respondent shall be heard in his or her defense either in person or by counsel and
36 may produce witnesses and testify in his or her behalf. A ~~[stenographic record]~~ **recording** of the
37 hearing shall be taken and preserved. The hearing may be adjourned from time to time.

CHAPTER 197
SB 58 - FINAL VERSION
- Page 30 -

197:117 Psychologists; Notice. Amend RSA 329-B:24, I to read as follows:

I. Licenses shall be valid for a period of 2 years and shall become invalid on the expiration date unless renewed or reinstated. It shall be the duty of the board to notify every person licensed by the board under this chapter of the date of expiration of the license and the amount of the fee that shall be required for its renewal for 2 years. Such notice shall be ~~mailed~~ **provided** at least 2 months in advance of the date of expiration of such license. Renewal shall be conditional upon filing a timely and complete renewal application and payment of the renewal fee.

197:118 Repeals; Psychologists. The following are repealed:

I. RSA 329-B:4, relative to advisory committees to the board.

II. RSA 329-B:7, relative to compensation of members of the board of psychology and related committees.

III. RSA 329-B:10, I, IV, VI, and XVI, relative to rulemaking authority.

IV. RSA 329-B:27, IV, relative to certain administrative rules relative to psychologists.

197:119 Repeal; Reflexologists, Structural Integrators, and Asian Bodywork Therapists. RSA 328-H:6, II, relative to the compensation of members of the advisory board, is repealed.

197:120 New Hampshire Veterinary Practice Act; Meetings and Duties. Amend RSA 332-B:5 to read as follows:

332-B:5 Meetings and Duties. The board shall meet at least 6 times a year at the time and place fixed by rule of the board. Other necessary meetings may be called by the president of the board by giving notice as may be required by rule. The quorum and the actions of the board shall be in accordance with RSA 91-A. At its annual meeting, the board shall organize by electing a president and such other officers as may be prescribed by rule. Officers of the board serve for terms of one year and until a successor is elected, without limitation on the number of terms an officer may serve. The president shall preside at board meetings and serve as administrative head of the board. ~~[The board shall submit annually to the governor a report on the transactions of the board, including an account of monies received and disbursed as shall be required by the state auditors.]~~ Records shall be kept ~~[by the administrative assistant]~~ pursuant to RSA 91-A:3 **and in accordance with the retention policy established by the office of professional licensure and certification.**

197:121 New Hampshire Veterinary Practice Act; Hearing, Decisions, and Appeals. Amend RSA 332-B:16, I to read as follows:

I. Adjudicatory proceedings shall be open to the public. The board's public docket file for each such proceeding shall include a taped or written account of all oral hearings and shall be retained by the board ~~[for 6 years from the issuance of the final decision]~~ **in accordance with the retention policy established by the office of professional licensure and certification.**

197:122 Repeal; Veterinary Practice Act. The following are repealed:

I. RSA 332-B:3, III, relative to compensation of members of the veterinary medicine board.

CHAPTER 197
SB 58 - FINAL VERSION
- Page 31 -

II. RSA 332-B:7, III, relative to the power of the board of veterinary medicine to set certain fees.

III. RSA 332-B:7, V-a, relative to the power of the board of veterinary medicine to compensate board counsel, assistants, and investigators.

IV. RSA 332-B:7-a, I, III, and VII, relative to certain rulemaking authority of the board of veterinary medicine.

197:123 General Administration of Regulatory Boards and Commissions; Reciprocity Information. Amend the introductory paragraph of RSA 332-G:12, I to read as follows:

I. All boards or commissions ***shall grant a license to an individual certified or licensed in another state if it determines that the requirements or standards for certification or licensure in that state are equivalent to, or greater than, those established in New Hampshire.*** All boards and commissions shall post information on their website relative to reciprocal licensure or certification for persons holding a current and valid license or certification for the practice of the regulated profession in another state. Such information shall include a list of the states which the board or commission has determined to have license or certification requirements equal to, or greater than, the requirements of this state. The posting shall also list states with which the board or commission has:

197:124 Board of Engineers; Establishment. Amend RSA 310-A:3, V and VI to read as follows:

V. The board shall hold at least 3 regular meetings each year and special meetings at such times as it may deem necessary. Notice of all meetings shall be given in such a manner as rules adopted by the board may provide. The board shall biennially elect a chairperson, vice-chairperson, and secretary. ~~[Three members]~~ ***A majority of the members of the board who have been approved by the governor and council*** shall constitute a quorum.

VI.(a) The board shall keep a record of its proceedings ~~[and a register of all applications for licensure, which shall show:]~~ ***in accordance with the retention policy established by the office of professional licensure and certification.***

~~(1) The name, age, and residence of each applicant.~~

~~(2) The date of application.~~

~~(3) The place of business of such applicant.~~

~~(4) The applicant's educational and other qualifications.~~

~~(5) Whether or not an examination was required.~~

~~(6) Whether the applicant was rejected and the reasons for such rejection.~~

~~(7) Whether a license was granted.~~

~~(8) The date of the action of the board.~~

~~(9) Such other information as may be deemed necessary by the board.]~~

(b) The records of the board shall be prima facie evidence of the proceedings of the board, and a transcript of such records certified by the secretary of the board under seal shall be admissible

CHAPTER 197
SB 58 - FINAL VERSION
- Page 32 -

1 in evidence with the same force and effect as if the original were produced. [~~Biennially, as of~~
2 ~~December 31, the board shall submit to the governor a report of the transactions of the preceding~~
3 ~~biennium, and a complete statement of the receipts and expenditures of the board.~~]

4 197:125 Board of Engineers; Rulemaking Authority. Amend RSA 310-A:6, I(d) to read as
5 follows:

6 (d) [~~How a license to practice under this subdivision shall be renewed~~] **The**
7 **requirements for renewal of a license**, including the requirements for continuing education;

8 197:126 Repeal; Professional Engineers. The following are repealed:

9 I. RSA 310-A:3, IV, relative to compensation for members of the board of engineers.

10 II. RSA 310-A:3, VII, relative to the roster of professional engineers published by the
11 secretary of state.

12 III. RSA 310-A:6, I(a), (e), (j), and (k), relative to certain rulemaking authority of the board
13 of engineers.

14 197:127 Board of Architects; Establishment. Amend RSA 310-A:29, V and VI to read as follows:

15 V. The board shall hold at least 3 regular meetings each year and special meetings at such
16 times as it may deem necessary. Notice of all meetings shall be given in such a manner as rules
17 adopted by the board may provide. The board shall biennially elect or appoint a chairperson, vice-
18 chairperson, and secretary. [~~Three members~~] **A majority of the members of the board who have**
19 **been approved by the governor and council** shall constitute a quorum.

20 VI.(a) The board shall keep a record of its proceedings [~~and a register of all applications for~~
21 ~~licensure, which shall show:~~] **in accordance with the retention policy established by the office**
22 **of professional licensure and certification.**

23 (1) ~~The name, age, and residence of each applicant.~~

24 (2) ~~The date of application.~~

25 (3) ~~The place of business of such applicant.~~

26 (4) ~~The applicant's educational and other qualifications.~~

27 (5) ~~Whether or not an examination was required.~~

28 (6) ~~Whether the applicant was rejected and the reasons for such rejection.~~

29 (7) ~~Whether a license was granted.~~

30 (8) ~~The date of the action of the board.~~

31 (9) ~~Such other information as may be deemed necessary by the board.~~]

32 (b) The records of the board shall be prima facie evidence of the proceedings of the board,
33 and a transcript of such records certified by the secretary of the board under seal shall be admissible
34 in evidence with the same force and effect as if the original were produced. [~~Biennially, as of~~
35 ~~December 31, the board shall submit to the governor a report of the transactions of the preceding~~
36 ~~biennium, and a complete statement of the receipts and expenditures of the board.~~]

CHAPTER 197
SB 58 - FINAL VERSION
- Page 33 -

1 197:128 Board of Architects; Rulemaking Authority. Amend RSA 310-A:32, I(d) to read as
2 follows:

3 (d) ~~[How a license to practice under this subdivision shall]~~ ***The criteria for a license to***
4 be renewed or reinstated, including ~~[late fees and]~~ any requirements for continuing education;

5 197:129 Board of Architects; Expiration and Renewals. Amend RSA 310-A:46 to read as follows:

6 310-A:46 Expiration and Renewals. All licenses issued by the board shall expire on the last day
7 of the month of the licensee's birth in the year 2 years following the year of issuance. The board
8 shall cause notification of the impending license expiration to be sent to each licensee at least one
9 month prior to the expiration date of the license. If the renewal fee is not submitted within 12
10 months after the expiration date of the license, the licensee's name shall be removed from the
11 mailing list ~~[and roster]~~. An application for reinstatement shall be required to return to active
12 status. The ~~[board, pursuant to rules adopted under RSA 310-A:32,]~~ ***office of professional***
13 ***licensure and certification*** shall charge up to a 20 percent late fee for each month or fraction of a
14 month the renewal is late, up to 12 months, in addition to the renewal fee.

15 197:130 Repeal; Board of Architects. The following are repealed:

16 I. RSA 310-A:29, IV, relative to compensation for members of the board of architects.

17 II. RSA 310-A:29, VII, relative to the roster of architects published by the secretary of state.

18 III. RSA 310-A:32, I(a), (e), (j), and (k), relative to certain rulemaking authority of the board
19 of architects.

20 197:131 Board of Land Surveyors; Establishment. Amend RSA 310-A:55, V and VI to read as
21 follows:

22 V. The board shall hold at least 4 regular meetings each year and special meetings at such
23 times as it may deem necessary. Notice of all meetings shall be given in such a manner as rules
24 adopted by the board may provide. The board shall elect or appoint a chairperson, vice-chairperson,
25 and secretary. The secretary may or may not be a member of the board. ~~[Three members]~~ ***A***
26 ***majority of the members of the board who have been approved by the governor and council***
27 shall constitute a quorum.

28 VI.(a) The board shall keep a record of its proceedings and a register of all applications for
29 licensure~~[, which shall show:]~~ ***in accordance with the retention policy established by the office***
30 ***of professional licensure and certification.***

31 ~~(1) The name, age, and residence of each applicant.~~

32 ~~(2) The date of application.~~

33 ~~(3) The place of business of such applicant.~~

34 ~~(4) The applicant's educational and other qualifications.~~

35 ~~(5) Whether or not an examination was required.~~

36 ~~(6) Whether the applicant was rejected and the reasons for such rejection.~~

37 ~~(7) Whether a license was granted.~~

CHAPTER 197
SB 58 - FINAL VERSION
- Page 34 -

~~(8) The date of the action of the board.~~

~~(9) Such other information as may be deemed necessary by the board.]~~

(b) The records of the board shall be prima facie evidence of the proceedings of the board, and a transcript of such records certified by the secretary of the board under seal shall be admissible in evidence with the same force and effect as if the original were produced. ~~[Biennially, as of July 31 of each even-numbered year, the board shall submit to the governor a report of the transactions of the preceding biennium, and a complete statement of the receipts and expenditures of the board.]~~

197:132 Land Surveyors; Rulemaking Authority. Amend RSA 310-A:58, IV to read as follows:

IV. ~~[How a license to practice under this subdivision shall]~~ ***The requirements for a license to be renewed, including the requirements for continuing education;***

197:133 Land Surveyors; Rulemaking Authority. Amend RSA 310-A:58, VI-a to read as follows:

VI-a. ~~[Application procedures for and]~~ ***The criteria for*** issuance of land surveying certificates for proprietorships, corporations and partnerships, including the qualifications of applicants in addition to those requirements set forth under this subdivision, and for satisfactory evidence of good professional character;

197:134 Repeal; Land Surveyors. The following are repealed:

I. RSA 310-A:55, IV, relative to compensation of members of the board of land surveyors.

II. RSA 310-A:55, VII, relative to the roster of land surveyors published by the secretary of state.

III. RSA 310-A:58, I and V, relative to certain rulemaking authority of the board of land surveyors.

197:135 Board of Natural Scientists; Establishment. Amend RSA 310-A:81, V and VI to read as follows:

V. The board shall hold at least 3 regular meetings each year and special meetings at such times as it may deem necessary. Notice of all meetings shall be given in such a manner as rules adopted by the board may provide. The board shall biennially elect or appoint a chairperson, vice-chairperson, and secretary. A quorum of the board shall consist of ~~[at least 4 members]~~ ***a majority of the members of the board who have been approved by the governor and council.***

VI.(a) The board shall keep a record of its proceedings ~~[and a register of all applications for registration, which shall show:]~~ ***in accordance with the retention policy established by the office of professional licensure and certification.***

~~(1) The name and residence of each applicant.~~

~~(2) The date of application.~~

~~(3) The place of business of such applicant.~~

~~(4) The applicant's educational and other qualifications.~~

~~(5) Whether or not an examination was required.~~

~~(6) Whether the applicant was rejected and the reasons for such rejection.~~

CHAPTER 197
SB 58 - FINAL VERSION
- Page 35 -

~~(7) Whether a certificate of registration was granted.~~

~~(8) The date of the action of the board.~~

~~(9) Such other information as may be deemed necessary by the board.]~~

(b) The records of the board shall be prima facie evidence of the proceedings of the board, and a transcript of such records certified by the secretary of the board under seal shall be admissible in evidence with the same force and effect as if the original were produced. ~~[Biennially, as of December 31 of each even-numbered year, the board shall submit to the governor a report of the transactions of the preceding biennium, and a complete statement of the receipts and expenditures of the board.]~~

197:136 Board of Natural Scientists; Rulemaking Authority. Amend RSA 310-A:82, IV to read as follows:

IV. ~~[How a certificate to practice under this subdivision shall]~~ ***The criteria required for a license to*** be renewed, including the requirement for continuing education.

197:137 Repeals; Natural Scientists. The following are repealed:

I. RSA 310-A:81, VII, relative to the roster of natural scientists published by the secretary of state.

II. RSA 310-A:82, I and V, relative to certain rulemaking authority of the board of natural scientists.

197:138 Board of Foresters; Establishment. Amend RSA 310-A:100, V and VI to read as follows:

V. The board shall hold at least 3 regular meetings each year and special meetings at such times as it may deem necessary. Notice of all meetings shall be given in such a manner as rules adopted by the board may provide. The board shall biennially elect or appoint a chairperson, vice-chairperson, and secretary. ~~[Four members]~~ ***A majority of the members of the board have been approved by the governor and council*** shall constitute a quorum.

VI.(a) The board shall adopt an official seal.

(b) The board shall keep a true record of its proceedings ~~[and a register of all applications for licensure, which shall show:]~~ ***in accordance with the retention policy established by the office of professional licensure and certification.***

~~(1) The name, age, and residence of each applicant.~~

~~(2) The date of application.~~

~~(3) The place of business of such applicant.~~

~~(4) The applicant's educational and other qualifications.~~

~~(5) Whether or not an examination was required.~~

~~(6) Whether the applicant was rejected and the reasons for such rejection.~~

~~(7) Whether a license was granted.~~

~~(8) The date of the action of the board.~~

~~(9) Such other information as may be deemed necessary by the board.]~~

CHAPTER 197
SB 58 - FINAL VERSION
- Page 36 -

(c) The records of the board shall be prima facie evidence of the proceedings of the board, and a transcript of such records certified by the secretary of the board under seal shall be admissible in evidence with the same force and effect as if the original were produced. ~~[Biennially, as of December 31 of each even-numbered year, the board shall submit to the governor a report of the transactions of the preceding biennium, and a complete statement of the receipts and expenditures of the board.]~~

197:139 Board of Foresters; Rulemaking. Amend RSA 310-A:102, IV to read as follows:

IV. Renewal ~~[procedures]~~ **criteria**, including requirements for continuing education.

197:140 Repeal; Board of Foresters. The following are repealed:

I. RSA 310-A:100, VII, relative to the roster of licensed foresters published by the secretary of state.

II. RSA 310-A:102, I and V, relative to certain rulemaking authority of the board of foresters.

197:141 Board of Professional Geologists. Amend RSA 310-A:120, V-VII to read as follows:

V. The board shall hold at least 3 regular meetings each year and special meetings at such times as it may deem necessary. Notice of all meetings shall be given in such a manner as rules adopted by the board may provide. The board shall biennially elect a chairperson, vice-chairperson, and secretary. ~~[Three members]~~ **A majority of members of the board who have been approved by the governor and council** shall constitute a quorum.

VI. The board shall keep a record of its proceedings ~~[and a register of all applications for licensure, which shall show:]~~ **in accordance with the retention policy established by the office of professional licensure and certification.**

~~[(a) The name, age, and residence of each applicant.~~

~~(b) The date of application.~~

~~(c) The place of business of such applicant.~~

~~(d) The applicant's educational and other qualifications.~~

~~(e) Whether or not an examination was required.~~

~~(f) Whether the applicant was rejected and the reasons for such rejection.~~

~~(g) Whether a license or permit was granted.~~

~~(h) The date of the action of the board.~~

~~(i) Such other information as may be deemed necessary by the board.]~~

VII. The records of the board shall be prima facie evidence of the proceedings of the board, and a transcript of such records certified by the secretary of the board under seal shall be admissible in evidence with the same force and effect as if the original were produced. ~~[Biennially, as of December 31, the board shall submit to the governor a report of the transactions of the preceding biennium, and a complete statement of the receipts and expenditures of the board.]~~

CHAPTER 197
SB 58 - FINAL VERSION
- Page 37 -

197:142 Board of Professional Geologists; Continuing Education. Amend RSA 310-A:127, I to read as follows:

I. Applications for licensure shall be ~~[on forms prescribed and furnished by the board,]~~ ***made using the method prescribed and furnished by the office of professional licensure and certification.*** ***Applications*** shall contain statements made under oath, showing the applicant's education and a detailed summary of the applicant's technical work, and shall contain not less than 5 references, of whom at least 3 shall be professional geologists having personal knowledge of the applicant's professional experience.

197:143 Repeal; Board of Professional Geologists. The following are repealed:

I. RSA 310-A:120, VIII, relative to the roster of professional geologists published by the secretary of state.

II. RSA 310-A:121, I(a), II, and III, relative to certain rulemaking of the board of professional geologists.

III. RSA 310-A:123, relative to receipts and disbursements of the board of professional geologists.

197:144 Board of Landscape Architects; Establishment. Amend RSA 310-A:142, V and VI to read as follows:

V. The board shall hold at least 3 regular meetings each year and special meetings at such times as it may deem necessary. Notice of all meetings shall be given in such a manner as rules adopted by the board may provide. The board shall biennially elect or appoint a chairperson, vice-chairperson, and secretary. ~~[Three members]~~ ***A majority of the members of the board who have been approved by the governor and council*** shall constitute a quorum.

VI.(a) The board shall keep a record of its proceedings ~~[and a register of all applications for licensure, which shall show:]~~ ***in accordance with the retention policy established by the office of professional licensure and certification.***

~~(1) The name, age, and residence of each applicant.~~

~~(2) The date of application.~~

~~(3) The place of business of such applicant.~~

~~(4) The applicant's educational and other qualifications.~~

~~(5) Whether or not an examination was required.~~

~~(6) Whether the applicant was rejected and the reasons for such rejection.~~

~~(7) Whether a license was granted.~~

~~(8) The date of the action of the board.~~

~~(9) Such other information as may be deemed necessary by the board.]~~

(b) The records of the board shall be prima facie evidence of the proceedings of the board, and a transcript of such records certified by the secretary of the board under seal shall be admissible in evidence with the same force and effect as if the original were produced. ~~[Biennially, as of~~

CHAPTER 197
SB 58 - FINAL VERSION
- Page 38 -

~~December 31, the board shall submit to the governor a report of the transactions of the preceding biennium, and a complete statement of the receipts and expenditures of the board.]~~

197:145 Board of Landscape Architects; Rulemaking Authority. Amend RSA 310-A:143, I(d) to read as follows:

(d) ~~[How a license to practice under this subdivision shall be]~~ ***The criteria for a license to be*** renewed or reinstated, including late fees and any requirements for continuing education;

197:146 Board of Landscape Architects; Rulemaking. Amend RSA 310-A:143, I(j) to read as follows:

(j) ~~[Application procedures for and]~~ ***The*** issuance of corporate practice certificates.

197:147 Board of Landscape Architects; Expiration and Renewals. Amend RSA 310-A:154, II to read as follows:

II. If the renewal fee is not submitted within 12 months after the expiration date of the license, the licensee's name shall be removed from the mailing list ~~[and roster]~~. The board, pursuant to rules adopted under RSA 310-A:143, shall charge up to a 20 percent late fee for each month or fraction of a month the renewal is late, up to 12 months, in addition to the renewal fee.

197:148 Repeal; Landscape Architects. The following are repealed:

I. RSA 310-A:142, IV, relative to compensation of members of the board of landscape architects.

II. RSA 310-A:142, VII, relative to the roster of landscape architects published by the secretary of state.

III. RSA 310-A:143, I(a) and (e), relative to certain rulemaking authority of the board of landscape architects.

197:149 Court Reporters; Board; Roster. Amend RSA 310-A:154, II to read as follows:

II. If the renewal fee is not submitted within 12 months after the expiration date of the license, the licensee's name shall be removed from the mailing list ~~[and roster]~~. The board, pursuant to rules adopted under RSA 310-A:143, shall charge up to a 20 percent late fee for each month or fraction of a month the renewal is late, up to 12 months, in addition to the renewal fee.

197:150 Court Reporters; Board; Rulemaking. Amend RSA 310-A:163 and 310-A:164 to read as follows:

310-A:163 Board.

I. There is hereby established a board of court reporters. The board shall consist of 5 members who shall be citizens of the United States and residents of this state appointed by the governor and council, 3 of whom shall be court reporters, one of whom shall be a public member and one of whom shall be admitted to practice law in the state of New Hampshire. The public member of the board shall be a person who is not, and never was, a member of the court reporting profession or the spouse of any such person, and who does not have and never has had, a material financial

CHAPTER 197
SB 58 - FINAL VERSION
- Page 39 -

1 interest in either the provision of court reporting services or an activity directly related to court
2 reporting, including the representation of the board or profession for a fee at any time during the 5
3 years preceding appointment. Each court reporter member shall have actively practiced court
4 reporting for the chief means of livelihood for at least 10 years prior to appointment and shall have
5 held a responsible position in charge of such work for at least 5 years prior to appointment, which
6 may include the teaching of court reporting. Members shall be appointed for 5-year terms, except
7 that no more than one appointed member's term may expire in any one calendar year.
8 Appointments for terms of less than 5 years may be made in order to comply with this limitation. No
9 appointed member shall be eligible to serve more than 2 full consecutive terms, provided that, for
10 this purpose only, a period actually served which exceeds 1/2 of the 5-year term shall be deemed a
11 full term. Upon expiration of a member's term, the member shall serve until a successor is qualified
12 and appointed. The successor's term shall be 5 years from the date of expiration of the predecessor's
13 appointment, regardless of the date of the successor's appointment. Vacancies occurring prior to the
14 expiration of a specific term shall be filled by appointment for the unexpired term. The governor and
15 council may remove a board member for cause. ~~[Members of the board shall receive \$25 for each day~~
16 ~~actually engaged in the duties of their office and shall be reimbursed for all actual travel, incidental,~~
17 ~~and clerical expenses necessarily incurred in carrying out the provisions of this subdivision.]~~

18 II. The board shall hold at least 3 regular meetings each year and special meetings at such
19 times as it may deem necessary. Notice of all meetings shall be given in such a manner as rules
20 adopted by the board may provide. The board shall biennially elect or appoint a chairperson, vice-
21 chairperson, and secretary. ~~[Three members]~~ ***A majority of the members of the board appointed***
22 ***by the governor and council*** shall constitute a quorum.

23 III. The board shall keep a record of its proceedings ~~[and a register of all applications for~~
24 ~~licensure, which shall show:~~

- 25 (a) ~~The name, age, and residence of each applicant.~~
26 (b) ~~The date of application.~~
27 (c) ~~The place of business of such applicant.~~
28 (d) ~~The applicant's educational and other qualifications.~~
29 (e) ~~Whether or not an examination was required.~~
30 (f) ~~Whether the applicant was rejected and the reasons for such rejection.~~
31 (g) ~~Whether a license was granted.~~
32 (h) ~~The date of the action of the board.~~
33 (i) ~~Such other information as may be deemed necessary by the board]~~ ***in accordance***
34 ***with the retention policy established by the office of professional licensure and***
35 ***certification.***

CHAPTER 197
SB 58 - FINAL VERSION
- Page 40 -

1 IV. The records of the board shall be prima facie evidence of the proceedings of the board,
2 and a transcript of such records certified by the secretary of the board under seal shall be admissible
3 in evidence with the same force and effect as if the original were produced.

4 ~~[V. Biennially, on or before December 31, the board shall submit to the governor a report of~~
5 ~~the transactions of the preceding biennium, and a complete statement of the receipts and~~
6 ~~expenditures of the board. The secretary of the board shall publish a roster listing the names and~~
7 ~~places of business of all court reporters licensed under the board during February of each even-~~
8 ~~numbered year. Copies of this roster shall be mailed to each person so licensed, placed on file with~~
9 ~~the secretary of state, and furnished to the public upon request at a fee to be established by the~~
10 ~~board. The board may include in such roster any other information it deems appropriate.]~~

11 310-A:164 Rulemaking. The board shall adopt rules, pursuant to RSA 541-A, relative to:

12 ~~I. [The application procedure for a license to practice under this subdivision.~~

13 ~~II.]~~ The qualifications of applicants in addition to those requirements set by statute,
14 including the qualifications for satisfactory evidence of good professional character.

15 ~~III.]~~ **II.** How an applicant shall be examined.

16 ~~IV.]~~ **III.** ~~[How a license to practice under this subdivision shall]~~ ***The criteria for a license***
17 ***to*** be renewed or reinstated, including ~~[late fees and]~~ any requirements for continuing education.

18 ~~V.]~~ **IV.** Ethical and professional standards required to be met by each holder of a license
19 under this subdivision and how disciplinary actions by the board shall be implemented for violations
20 of these standards.

21 ~~VI. Fees under RSA 310-A:171.~~

22 ~~VII.]~~ **V.** Matters related to the proper administration of this subdivision.

23 ~~VIII.]~~ **VI.** Procedures for the conduct of hearings consistent with the requirements of due
24 process.

25 ~~IX.]~~ **VII.** The design of an official seal.

26 197:151 Court Reporters; Qualifications. Amend RSA 310-A:170, II to read as follows:

27 II. Paid the fee required ~~[by this subdivision];~~ and

28 197:152 Home Inspectors; Board of Home Inspectors. Amend RSA 310-A:186, V-IX to read as
29 follows:

30 V. ~~[Members of the board shall receive \$25 for each day actually engaged in the duties of~~
31 ~~their office and shall be reimbursed for all actual travel, incidental, and clerical expenses necessarily~~
32 ~~incurred in carrying out the provisions of this subdivision.~~

33 ~~VI.]~~ The board shall hold at least 3 regular meetings each year and special meetings at such
34 times as it may deem necessary. Notice of all meetings shall be given in such a manner as rules
35 adopted by the board may provide. The board shall biennially elect or appoint a chairperson, vice-
36 chairperson, and secretary. ~~[Four members]~~ ***A majority of the members of the board appointed***
37 ***by the governor and council*** shall constitute a quorum.

CHAPTER 197
SB 58 - FINAL VERSION
- Page 41 -

1 ~~[VII.(a) The board shall keep a record of its proceedings and a register of all applications for~~
2 ~~licensure, which shall show:~~

3 ~~(1) The name, age, and residence of each applicant.~~

4 ~~(2) The date of application.~~

5 ~~(3) The place of business of such applicant.~~

6 ~~(4) The applicant's educational and other qualifications.~~

7 ~~(5) Proof of passing home inspection exam.~~

8 ~~(6) Whether the applicant was rejected and the reasons for such rejection.~~

9 ~~(7) Whether a license was granted.~~

10 ~~(8) The date of the action of the board.~~

11 ~~(9) Such other information as may be deemed necessary by the board.~~

12 ~~(b)] VI. The records of the board shall be prima facie evidence of the proceedings of the~~
13 ~~board, and a transcript of such records certified by the secretary of the board under seal shall be~~
14 ~~admissible in evidence with the same force and effect as if the original were produced. [Biennially,~~
15 ~~as of December 31, the board shall submit to the governor a report of the transactions of the~~
16 ~~preceding biennium, and a complete statement of the receipts and expenditures of the board~~

17 ~~VIII. The secretary of the board shall publish a roster listing the names and addresses of all~~
18 ~~home inspectors licensed under this subdivision by the board during February of each even-~~
19 ~~numbered year. Copies of this roster shall be sent to each person so licensed, placed on file with the~~
20 ~~secretary of state, and furnished to the public upon request at a fee to be established by the board.~~
21 ~~The board may include in such roster any other information it deems appropriate.~~

22 ~~IX.] VII. The board, its members, and its agents shall be immune from personal liability for~~
23 ~~actions taken in good faith in the discharge of the board's responsibilities, and the state shall hold~~
24 ~~the board, its members, and its agents harmless from all costs, damages, and attorneys' fees arising~~
25 ~~from claims and suits against them with respect to matters to which such immunity applies.~~

26 197:153 Home Inspectors; Rulemaking Authority. Amend RSA 310-A:187, I to read as follows:

27 I. The board shall adopt rules, pursuant to RSA 541-A, relative to:

28 ~~(a) [The application procedure for a license to practice under this subdivision.~~

29 ~~(b)] The qualifications of applicants in addition to requirements of this subdivision, and~~
30 ~~including the qualifications for satisfactory evidence of good professional character.~~

31 ~~[(c) Procedures for auditing applicants and licensees.~~

32 ~~(d) How a license to practice under this subdivision shall be]~~ **(b) The criteria for a**
33 ~~license to be~~ renewed or reinstated, including ~~[late fees and]~~ any requirements for continuing
34 education.

35 ~~[(e) The establishment of all fees required under this subdivision.~~

36 ~~(f)] (c) Disciplinary actions by the board that shall be implemented for violations of the~~
37 standards of practice, code of ethics, and rules adopted by the board.

CHAPTER 197
SB 58 - FINAL VERSION
- Page 42 -

1 ~~[(g)]~~ **(d)** Procedures for the conduct of hearings consistent with the requirements of due
2 process.

3 ~~(h)~~ **(e)** Procedures for approving education courses for eligibility for licensure and for a
4 continuing education program.

5 ~~[(i)]~~ **(f)** How an applicant shall be examined, including the form of the examination.

6 ~~[(j)]~~ **(g)** The design of an official seal.

7 ~~[(k)]~~ **(h)** The establishment of administrative fines which may be levied in the
8 administration of this subdivision.

9 197:154 Home Inspectors; License Applications. Amend RSA 310-A:191, I to read as follows:

10 I. Applications for licensure ~~[on forms prescribed and furnished by the board]~~ ***made using***
11 ***the method prescribed and furnished by the office of professional licensure and***
12 ***certification.***

13 197:155 Septic System Evaluators; Board. Amend RSA 310-A:206, VII-X to read as follows:

14 VII. The board shall hold at least 3 regular meetings each year and special meetings at such
15 times as it may deem necessary. Notice of all meetings shall be given in such a manner as rules
16 adopted by the board may provide. The board shall biennially elect or appoint a chairperson, vice-
17 chairperson, and secretary. ~~[Three members]~~ ***A majority of the members appointed by the***
18 ***governor and council*** shall constitute a quorum.

19 VIII.(a) The board shall keep a record of its proceedings ~~[and a register of all applications for~~
20 ~~licensure, which shall show:~~

21 ~~(1) The name, age, and residence of each applicant.~~

22 ~~(2) The date of application.~~

23 ~~(3) The place of business of such applicant.~~

24 ~~(4) The applicant's educational and other qualifications.~~

25 ~~(5) Proof of passing the septic system evaluator exam.~~

26 ~~(6) Whether the applicant was rejected and the reasons for such rejection.~~

27 ~~(7) Whether a license was granted.~~

28 ~~(8) The date of the action of the board.~~

29 ~~(9) Such other information as may be deemed necessary by the board]~~ ***in***
30 ***accordance with the retention policy established by the office of professional licensure and***
31 ***certification.***

32 (b) The records of the board shall be prima facie evidence of the proceedings of the board,
33 and a transcript of such records certified by the secretary of the board under seal shall be admissible
34 in evidence with the same force and effect as if the original were produced. ~~[Biennially, as of~~
35 ~~December 31, the board shall submit to the executive director of the office of professional licensing~~
36 ~~and certification a report of the transactions of the preceding biennium, and a complete statement of~~
37 ~~the receipts and expenditures of the board.~~

CHAPTER 197
SB 58 - FINAL VERSION
- Page 43 -

IX. ~~The secretary of the board shall maintain and regularly update a roster listing the names and addresses of all septic system evaluators certified under this subdivision by the board on the board's website. The board may include in such roster any other information it deems appropriate.~~

X.] **IX.** The board, its members, and its agents shall be immune from personal liability for actions taken in good faith in the discharge of the board's responsibilities, and the state shall hold the board, its members, and its agents harmless from all costs, damages, and attorneys' fees arising from claims and suits against them with respect to matters to which such immunity applies.

197:156 Septic System Evaluators; Rulemaking. Amend RSA 310-A:207, I to read as follows:

I. The board shall adopt rules, pursuant to RSA 541-A, relative to:

(a) ~~[The application procedure for a license to practice under this subdivision.~~

~~(b)]~~ The qualifications of applicants in addition to the requirements of this subdivision, including the qualifications for satisfactory evidence of good professional character.

~~(c)]~~ **(b)** Procedures for auditing applicants and license holders.

~~(d)]~~ **(c)** ~~[How a license to practice under this subdivision shall be]~~ ***The criteria for a license to be*** renewed or reinstated, including late fees and any requirements for continuing education.

~~(e) The establishment of all fees required under this subdivision.~~

~~(f)]~~ **(d)** Professional standards required to be met by each holder of a license under this subdivision and how disciplinary actions by the board shall be implemented for violations of these standards.

~~(g)]~~ **(e)** Procedures for the conduct of hearings consistent with the requirements of due process.

~~(h)]~~ **(f)** Procedures for approving education courses for eligibility for licensure and for a continuing education program.

~~(i)]~~ **(g)** How an applicant shall be examined, including the time, place, type, and form of the examination.

~~(j)]~~ **(h)** The design of an official seal.

~~(k)]~~ **(i)** The establishment of administrative fines which may be levied in the administration of this subdivision.

197:157 Septic System Evaluators; License Applications. Amend RSA 310-A:211, I to read as follows:

I. Applications for licensure ~~[shall be on forms prescribed and furnished by the board]~~ ***made using the method prescribed and furnished by the office of professional licensure and certification.***

197:158 Septic System Evaluators; Issuance of Licenses. Amend RSA 310-A:213 to read as follows:

CHAPTER 197
SB 58 - FINAL VERSION
- Page 44 -

310-A:213 Issuance of Licenses. The board shall issue a license upon payment of the license fee established by the [board] **office of professional licensure and certification**, to any applicant who, in the opinion of the board, has satisfactorily met all the requirements of this subdivision. Licenses shall show the full name of the license holder[~~]~~ **and** have a serial number[~~], and be signed by the chairperson or the secretary of the board~~]. The issuance of a license by the board shall be prima facie evidence that the person named in the license is entitled to all the rights and privileges of a certified septic system evaluator while the license remains valid. It shall be a class B misdemeanor for the license holder to perform septic system evaluations after the license of the evaluator has expired or has been revoked, unless such license shall have been renewed, reinstated, or reissued.

197:159 Board of Accountancy. Amend RSA 309-B:4, III-X to read as follows:

~~III. [Each member of the board shall be paid \$100 for each day or portion of a day spent in the discharge of official duties and shall be reimbursed for actual and necessary expenses incurred in the discharge of official duties.]~~

~~IV.]~~ The [board] **office of professional licensure and certification** shall establish fees for examination of applicants, for licenses, for certificates of authorization, for reissuance of licenses, for renewal and reinstatement of licenses and certificates to practice under this chapter, for late renewals, for verification of licensure or examination, and for transcribing and transferring records and other services. All moneys collected by the [board] **office of professional licensure and certification** from fees authorized under this chapter shall be received and accounted for by the [board] **office of professional licensure and certification**, shall be deposited in the [state treasury] **office of professional licensure and certification fund established in RSA 310-A:1-e**. Administration expenses shall be limited to the funds collected and may include, but shall not be limited to, the costs of conducting investigations and of taking testimony and procuring the attendance of witnesses before the board or its committees; all legal proceedings taken under this chapter for the enforcement of this chapter; and educational programs for the benefit of the public or licensees and their employees.

~~[V. The board shall file an annual report of its activities with the governor, the president of the senate, and the speaker of the house of representatives. The report shall include a statement of all receipts and disbursements and a listing of all current licensees under this chapter. The board shall mail a copy of the annual report to any person requesting it, upon payment of a reasonable charge.]~~

~~VI.]~~ **IV.** The board may employ investigators and such other personnel as it deems necessary through the office of professional licensure and certification for enforcement under this chapter. It may appoint such committees or persons to advise or assist it in such enforcement, as it may see fit. It may retain its own counsel retained through the office of professional licensure and certification to

CHAPTER 197
SB 58 - FINAL VERSION
- Page 45 -

1 advise and assist it, in addition to such advice and assistance as is provided by the department of
2 justice.

3 ~~[VII.]~~ **V.** The board shall have the power to take any action necessary and proper to carry
4 out the purposes of this chapter, including the power to sue and be sued in its official name as an
5 agency of this state; to issue subpoenas to compel the attendance of witnesses and the production of
6 documents; and to administer oaths, to take testimony, to cooperate with the appropriate authorities
7 in other states in investigations and enforcement concerning violations of this chapter and
8 comparable laws of other states, and to receive evidence concerning all matters within its
9 jurisdiction. In case of disobedience of a subpoena, the board may invoke the aid of any court of this
10 state in requiring the attendance and testimony of witnesses and the production of documentary
11 evidence. The board, its members, and its agents shall be immune from personal liability for actions
12 taken in good faith in the discharge of the board's responsibilities, and the state shall hold the board,
13 its members, and its agents harmless from all costs, damages, and attorneys' fees arising from
14 claims and suits against them with respect to matters to which such immunity applies.

15 ~~[VIII.]~~ **VI.** The board shall adopt rules, pursuant to RSA 541-A, governing its
16 administration, the enforcement of this chapter and the conduct of licensees. Such rules shall
17 include, but not be limited to:

18 (a) Rules governing the board's meetings and conduct of its business.

19 (b) Rules of procedure governing the conduct of investigations and hearings by the
20 board.

21 (c) Rules specifying the educational and experience qualifications required for all
22 licensees, and the continuing professional education required for renewal of certificates or
23 registrations.

24 (d) Rules of professional conduct directed to controlling the quality and integrity of the
25 practice of public accountancy by licensees, including, but not limited to, matters relating to
26 independence, integrity, objectivity, competence, technical standards, responsibilities to the public,
27 and responsibilities to clients.

28 (e) Rules on substantial equivalency for implementation of RSA 309-B:6.

29 (f) Rules governing the manner and circumstances of use of the titles "certified public
30 accountant", "CPA," "public accountant" and "PA."

31 (g) Rules regarding peer review as required under this chapter. Such rules shall include
32 conduct and cost parameters to ensure that charges for the off-site peer review process are not
33 excessive.

34 ~~(h) The establishment of all fees required under this chapter.~~

35 ~~(h)~~ **(h)** The establishment of administrative fines for violations of this chapter.

36 ~~(i)~~ **(i)** Rules on how an applicant for certificate demonstrates good character.

CHAPTER 197
SB 58 - FINAL VERSION
- Page 46 -

1 ~~[(k)]~~ **(j)** Rules for records retention, outsourcing disclosures, and the severance of
2 connections.

3 ~~[IX.]~~ **VII.** In accordance with RSA 541-A, the board shall publish notice of such proposed
4 action and shall, in addition, notify all licensees.

5 ~~[X.]~~ **VIII.** All administrative, clerical, and business processing functions of the board shall
6 be transferred to the office of professional licensure and certification, established in RSA 310-A:1
7 through RSA 310-A:1-e.

8 197:160 New Paragraph; Board of Accountancy; Issuance and Renewal of Certificates. Amend
9 RSA 309-B:7 by inserting after paragraph XIV the following new paragraph:

10 XV. The office of professional licensure and certification may contract with the NASBA
11 Qualification Appraisal Service to assess any applications made under this section.

12 197:161 Electricians; Board. Amend RSA 319-C:4, III-IV to read as follows:

13 III. ~~[The members of the board, other than state employees, shall each be allowed the sum of~~
14 ~~\$30 per day and their necessary traveling expenses incurred in carrying out their official duties.~~

15 IV.] All administrative, clerical, and business processing functions of the board shall be
16 transferred to the office of professional licensure and certification established in RSA 310-A:1
17 through RSA 310-A:1-e.

18 197:162 Electricians; Organizations and Meetings; Rulemaking. Amend RSA 319-C:6 and 6-a to
19 read as follows:

20 319-C:6 Organization and Meetings. The board shall hold at least 4 regular meetings each year,
21 and special meetings may be held at such times as the business of the board may require. Notice of
22 all meetings shall be given in such manner as the rules of the board may provide. The board shall
23 annually elect a chairman, a vice-chairman, and a secretary, who shall be one of the appointed
24 members. A quorum of the board shall consist of ~~[not less than 3 members, not including the ex~~
25 ~~officio member, and at least]~~ **a majority of the members of the board appointed by the**
26 ***governor and council***, one of whom shall be a public member.

27 319-C:6-a Rulemaking Authority. The board, with an affirmative vote of at least 3 of the 5
28 appointed board members, shall adopt rules, pursuant to RSA 541-A, relative to:

29 I. ~~[The application procedure for a license to practice under this chapter;~~

30 II.] The qualifications of applicants in addition to those requirements established under this
31 chapter, and including the qualifications for satisfactory evidence of:

32 (a) ~~[A high school education]~~ ***Either completion of high school or a high school***
33 ***equivalent***, and

34 (b) Good professional character;

35 ~~[III.]~~ **II.** How an applicant shall be examined, and procedures for computerized
36 examinations;

CHAPTER 197
SB 58 - FINAL VERSION
- Page 47 -

1 ~~[IV.]~~ **III.** ~~[How]~~ *The criteria for* a license to practice under this chapter ~~[shall]~~ **to** be
2 renewed, including the requirements for continuing education;

3 ~~[V. The establishment of all fees required under this chapter;~~

4 ~~V-a.]~~ **IV.** The applicable version of the National Electrical Code with any discretionary
5 changes, provided that any such changes are no less stringent than provided in the state building
6 code administered and approved by the state building code review board under RSA 155-A;

7 ~~[VI.]~~ **V.** Ethical and professional standards required to be met by each holder of a license to
8 practice under this chapter and how disciplinary actions by the board shall be implemented for
9 violations of these standards; **and**

10 ~~[VII.]~~ **VI.** Procedures and policy for the investigation of complaints against licensees or
11 registrants;

12 ~~[VIII.]~~ **VII.** Procedures for the conduct of hearings consistent with the requirements of due
13 process; and

14 ~~[IX.]~~ **VIII.** Matters related to the proper administration of this chapter.

15 197:163 Electricians; Records. Amend RSA 319-C:13 to read as follows:

16 319-C:13 Records. The board shall keep a record of the name and residence of all persons
17 licensed under this chapter ***in accordance with the retention policy established by the office of***
18 ***professional licensure and certification***, and said record or duplicate thereof shall be open for
19 inspection during office hours.

20 197:164 Family Mediators; Board. Amend RSA 328-C:4, II(a) to read as follows:

21 II.(a) Appointments and reappointments to the board shall be for 3-year terms. Vacancies
22 shall be filled by appointment for the unexpired term. ***No member shall be appointed to more***
23 ***than 2 consecutive terms.***

24 197:165 Family Mediators; Rulemaking. Amend RSA 328-C:8 to read as follows:

25 328-C:8 Rulemaking Authority.

26 I. The board shall adopt rules for family mediators and family mediator training programs
27 pursuant to RSA 541-A, relative to the following:

28 (a) The eligibility requirements ~~[and application procedures]~~ for certification, renewal of
29 certification, recertification, and reinstatement of certification.

30 (b) ~~[The content of all application forms, which forms may require a notarized affidavit~~
31 ~~stating that the information provided in the application is complete and accurate.~~

32 ~~(e)]~~ Content of training programs and training equivalents allowed under RSA 328-C:5,

33 III.

34 ~~[(d)]~~ **(c)** Content of internships and duration and content of internship equivalents
35 allowed under RSA 328-C:5, III.

36 ~~[(e)]~~ **(d)** The ethical standards and standards of practice for family mediators certified in
37 New Hampshire.

CHAPTER 197
SB 58 - FINAL VERSION
- Page 48 -

1 ~~[(f)]~~ **(e)** Procedures for the reporting of activities conducted by certified family mediators
2 and certified family mediator training programs.

3 ~~[(g)] Procedures for processing complaints.~~

4 ~~[(h)]~~ **(f)** Disciplinary ~~[procedures,]~~ penalties~~[,]~~ and sanctions for certified family
5 mediators and martial mediator training programs, as provided under RSA 328-C:7.

6 ~~[(i)] Fees for applications, certification, renewal of certification, and reinstatement of~~
7 ~~certification.~~

8 ~~[(j)]~~ **(g)** Reporting requirements for certified training programs.

9 II. The board may adopt rules for family mediators and family mediator training programs,
10 pursuant to RSA 541-A, relative to the ~~[following:]~~

11 ~~(a) the]~~ application ~~[process,]~~ requirements~~[,]~~ and criteria for temporary renewal of
12 certification and conditional certification.

13 ~~[(b)] Fees for temporary renewal of certification and conditional certification and for the~~
14 ~~filing of requests for information not governed by RSA 91-A, the filing of complaints and petitions,~~
15 ~~and the processing of changes to information of record.~~

16 ~~(e) Procedures for informal resolution or referral of complaints.]~~

17 197:166 Repeal; Family Mediators. The following are repealed:

18 I. RSA 328-C:4-a, II, relative to application fees for certification of family mediators.

19 II. RSA 328-C:12, relative to expenses of the family mediator board.

20 197:167 Guardians ad Litem Board; Rulemaking. Amend RSA 490-C:5 to read as follows:

21 490-C:5 Rulemaking Authority.

22 I. The board shall adopt rules, pursuant to RSA 541-A, relative to the following:

23 (a) The application ~~[process]~~ **criteria** for certification, renewal of certification,
24 recertification, and reinstatement of certification.

25 (b) ~~[The content of all application forms, which forms may require a notarized affidavit~~
26 ~~stating that the information provided in the application is complete and accurate and which may~~
27 ~~gather, in addition to other information, information that will assist the court in making an informed~~
28 ~~decision on whether or not to appoint an individual as a guardian ad litem in a particular case.~~

29 (c) Eligibility requirements and criteria for certification, recertification, reinstatement,
30 and renewal of certification.

31 ~~[(d)]~~ **(c)** Training requirements.

32 ~~[(e)]~~ **(d)** Educational and continuing educational requirements.

33 ~~[(f)] Fees for certification, recertification, reinstatement, and renewal of certification.~~

34 ~~[(g)]~~ **(e)** The ethical standards and standards of practice for guardians ad litem certified
35 in New Hampshire.

36 ~~[(h)]~~ **(f)** Procedures for conducting investigations and hearings conducted by the board
37 under this chapter.

CHAPTER 197
SB 58 - FINAL VERSION
- Page 49 -

1 ~~[(4)]~~ **(g)** Procedures for processing complaints and addressing disciplinary issues handled
2 by the board under this chapter.

3 ~~[(5)]~~ **(h)** Disciplinary procedures, penalties, and sanctions for certified guardians ad litem,
4 which penalties, sanctions, and procedures may include revocation of certification, suspension of
5 certification, the imposition of supplemental training requirements or supervised training
6 requirements, supplemental education, fines, written reprimand, and treatment and counseling,
7 including but not limited to treatment or counseling for alcohol or substance abuse. Disciplinary
8 procedures, penalties, and sanctions may be established for and applied to formerly certified
9 guardians ad litem who engaged in acts or omissions prohibited when certified.

10 II. The board may adopt rules, pursuant to RSA 541-A, relative to the following:

11 (a) The application or certification ~~[process,]~~ requirements~~[-]~~ and criteria for temporary
12 or conditional certification or both, including but not limited to procedures and requirements
13 regarding the circumstances and manner in which individuals may be temporarily or conditionally
14 certified or both, the term and duration of conditional or temporary certification or both, and the
15 ethical standards and standards of practice applicable to persons so certified.

16 ~~(b) [Fees for temporary or conditional certification or both, and for the filing of requests~~
17 ~~for information, the filing of complaints or petitions, the processing of changes to information of~~
18 ~~record, the provision of training, and the provision of course material.~~

19 ~~[(e)]~~ Procedures for the reporting of activities conducted by guardians ad litem appointed
20 in New Hampshire.

21 ~~[(d)]~~ **(c)** The administration of oaths or affirmations, the preservation of testimony, and
22 the issuance of subpoenas for witnesses and for documents, on the approval of the attorney general,
23 relative to investigations, adjudicatory hearings, or other proceedings held by the board.

24 ~~[(e)]~~ **(d)** Procedures for informal resolution or referral of complaints.

25 ~~[(f)]~~ **(e)** Procedures and requirements relating to the resignation or surrender of
26 certification, including but not limited to the circumstances or conditions under which a certified
27 guardian ad litem may resign or surrender his or her certification.

28 ~~[(g)]~~ **(f)** Disciplinary procedures, penalties, and sanctions for conditionally or
29 temporarily certified guardians ad litem or both and persons formerly certified by the board, which
30 penalties, sanctions, and procedures may include, but need not be limited to, those listed in RSA
31 490-C:4, I(f).

32 ~~[(h)]~~ **(g)** Procedures and requirements relative to maintenance or disclosure of
33 confidential information received by, or used in investigations or in hearings, proceedings, or other
34 activities or matters before the board.

35 197:168 Board of Manufactured Housing; Quorum. Amend RSA 205-A:26, I to read as follows:

CHAPTER 197
SB 58 - FINAL VERSION
- Page 50 -

1 I. A majority of the *members of the board who have been appointed by the governor*
2 *and council* shall constitute a quorum ~~[to conduct hearings, and a vote of at least 4 members~~
3 ~~present and voting in favor shall be required to adopt and approve any matter under consideration]~~.

4 197:169 Board of Manufactured Housing; Meetings and Records. Amend RSA 205-A:29 to read
5 as follows:

6 205-A:29 Meetings and Records. The board shall hold meetings in Concord, New Hampshire or
7 in any other location deemed appropriate by the board. The records of the board shall be maintained
8 at the office of the board of manufactured housing *consistent with the retention policy*
9 *established by the office of professional licensure and certification*.

10 197:170 Real Estate Appraisers; Registration of Appraisal Management Companies. Amend
11 RSA 310-B:12-b, I(a) to read as follows:

12 (a) An applicant for registration as an appraisal management company in this state
13 shall submit to the board an application ~~[on a form or forms prescribed by the board]~~ *using the*
14 *method prescribed and furnished by the office of professional licensure and certification*.

15 197:171 Real Estate Appraisers; License or Certificate. Amend RSA 310-B:16 to read as follows:

16 310-B:16 License or Certificate.

17 I. A license or certificate issued under authority of this chapter shall bear ~~[the signature of~~
18 ~~the board chairperson or a designee who is a member of the board and]~~ a license or certificate
19 number assigned by the board.

20 II. Each licensed or certified real estate appraiser shall place such appraiser's license or
21 certificate number adjacent to or immediately below the appraiser's signature whenever the
22 appraiser's signature is used in an appraisal report or in a contract or other instrument used by the
23 license or certificate holder in conducting real estate appraisal activities.

24 197:172 Real Estate Appraisers; Rulemaking. Amend RSA 310-B:24 to read as follows:

25 310-B:24 Rulemaking Authority. The board shall adopt rules pursuant to RSA 541-A, relative
26 to:

27 I. The application ~~[procedure and]~~ eligibility requirements for the issuance of any initial
28 license or certificate issued under this chapter, including the issuance of such licenses to applicants
29 holding a currently valid license or other authorization to practice in another jurisdiction.

30 I-a. The application ~~[procedure and]~~ eligibility requirements for the issuance of any
31 temporary practice permit issued under this chapter.

32 II. ~~[Design and content of all forms required under this chapter.~~

33 ~~III.]~~ How an applicant shall be examined.

34 ~~[IV.]~~ *III.* ~~[How a]~~ *The criteria for renewal of a* license or certificate ~~[shall be renewed]~~.

35 ~~[V.]~~ *IV.* Ethical standards required to be met by each holder of a license or certificate issued
36 under this chapter and how such license or certificate may be revoked for violation of these
37 standards.

CHAPTER 197
SB 58 - FINAL VERSION
- Page 51 -

~~[VI. Establishing all fees required under this chapter, subject to RSA 332-G.~~

~~VII.]~~ **V.** Standards for appraisal education programs and the issuance of evidence indicating satisfactory completion of such program.

~~[VII-a.]~~ **VI.** The registration and supervision of appraisal management companies under RSA 310-B:16-a~~[- including the establishment of fees for annual registration and for renewal of registration].~~

~~[VIII.]~~ **VII.** The conduct of investigations and procedures for the conduct of hearings consistent with the requirements of RSA 541-A.

~~VIII-a.]~~ **VIII.** Establishing continuing education and experience requirements which comport with criteria set forth by the board.

IX. The requirements for public requests for information.

X. The conditions and requirements for granting a waiver to any rule adopted by the board.

197:173 Repeal; Real Estate Appraisers. RSA 310-B:22, relative to a roster of licensed or certified real estate appraisers, is repealed.

197:174 Repeal; Distribution of Publications. RSA 332-H, relative to the distribution of publications by licensing commissions and boards, is repealed.

197:175 Engineers; Signed License. Amend RSA 310-A:18 to read as follows:

310-A:18 Certificates; Seals. The board shall issue a license, upon payment of the registration fee established by the board, to any applicant who, in the opinion of the board, has satisfactorily met all the requirements of this subdivision. Licenses shall show the full name of the licensee~~[- and have a serial number[-and be signed by the chairperson and the secretary of the board under seal of the board].~~ The issuance of a license by the board shall be prima facie evidence that the person named in the license is entitled to all the rights and privileges of a licensed professional engineer while the license remains valid. Each licensee shall upon licensure obtain a seal of the design authorized by the board, bearing the registrant's name and the legend, "Licensed Professional Engineer." All papers or documents involving the practice of engineering under this subdivision, when issued or filed for public record, shall be dated and bear the signature and seal of the licensed professional engineer who prepared or had responsibility for and approved them. It shall be a class B misdemeanor for the licensee to stamp or seal any documents with such seal after the license of the licensee has expired or has been revoked, unless such license shall have been renewed or reissued.

197:176 Architects; Signed License. Amend RSA 310-A:44 to read as follows:

310-A:44 Certificates; Seals. The board shall issue a license upon payment of the registration fee established by the board, to any applicant who, in the opinion of the board, has satisfactorily met all the requirements of this subdivision. Licenses shall show the full name of the licensee~~[- and have a serial number[-and be signed by the chairperson and the secretary of the board under seal of the board].~~ The issuance of a license by the board shall be prima facie evidence that the person

CHAPTER 197
SB 58 - FINAL VERSION
- Page 52 -

1 named in the license is entitled to all the rights and privileges of a licensed architect while the
2 license remains valid. Each licensee shall upon licensure obtain a seal of the design authorized by
3 the board, bearing the registrant's name and the legend, "Licensed Architect." All papers or
4 documents involving the practice of a profession under this subdivision, when issued or filed for
5 public record, shall be dated and bear the signature and seal of the licensed professional who
6 prepared or had responsibility for and approved them. It shall be a class B misdemeanor for the
7 licensee to stamp or seal any documents with such seal after the license of the licensee has expired
8 or has been revoked, unless such license shall have been renewed, reinstated, or reissued.

9 197:177 Soil Scientists; Signed License. Amend RSA 310-A:87 to read as follows:

10 310-A:87 Certificates. Certificates shall show the full name of the certified soil scientist,
11 apprentice soil scientist, certified wetland scientist, or apprentice wetland scientist~~[, and~~ **and** have a
12 serial number~~[, and be signed by the chairperson and the secretary of the board under seal of the~~
13 ~~board]~~. Each certified soil scientist or certified wetland scientist shall obtain a seal of the design
14 authorized by the board bearing the name of the certified individual, the legend "Certified Soil
15 Scientist" or "Certified Wetland Scientist," as appropriate, and a place for the certified individual's
16 signature. Plans and reports prepared by a certified individual shall be stamped with the seal and
17 signed by the certified individual during the life of the certificate.

18 197:178 Foresters; Signed License. Amend RSA 310-A:107 to read as follows:

19 310-A:107 Issuance of License; Endorsement of Documents. The board shall issue a license
20 upon payment of the fee as provided in this subdivision to any applicant, who, in the opinion of the
21 board, has satisfactorily met all the requirements of this subdivision. Licenses shall show the full
22 name of the licensee~~[, and~~ **and** shall have a serial number~~[, and shall be signed by the chairperson and~~
23 ~~secretary under the seal of the board]~~. The issuance of a license by the board shall be evidence that
24 the person named in the license is entitled to all rights and privileges of a licensed forester while
25 such license remains unrevoked or unexpired. Plans, maps, and reports issued by the licensee shall
26 be endorsed with the licensee's name and license number during the life of the license. It shall be a
27 class B misdemeanor for anyone to endorse any document with such name and license number after
28 the license of the named licensee has expired or has been revoked, unless said license has been
29 renewed or reissued. It shall be a class B misdemeanor for any licensed forester to endorse any plan,
30 map or report unless the licensed forester shall have actually prepared such plan, map or report, or
31 shall have been in the actual charge of the preparation of the same.

32 197:179 Geologists; Signed License. Amend RSA 310-A:130 to read as follows:

33 310-A:130 Certificates; Seals. The board shall issue a license, upon payment of the licensing fee
34 established by the board, to any applicant who has satisfactorily met all the requirements of this
35 subdivision. Licenses shall show the full name of the licensee~~[, and~~ **and** have a serial number~~[, and be~~
36 ~~signed by the chairperson and the secretary of the board under seal of the board]~~. The issuance of a
37 license by the board shall be prima facie evidence that the person named in the license is entitled to

CHAPTER 197
SB 58 - FINAL VERSION
- Page 53 -

1 all the rights and privileges of a licensed professional geologist while the license remains valid. Each
2 licensee shall upon licensure obtain a seal of the design authorized by the board, bearing the
3 registrant's name and the legend, "Licensed Professional Geologist." All papers or documents
4 involving the practice of geology affecting public health, safety, and welfare, under this subdivision,
5 when issued or filed for public record, shall be dated and bear the signature and seal of the licensed
6 professional geologist who prepared or had responsibility for and approved them.

7 197:180 Landscape Architects; Signed License. Amend RSA 310-A:152 to read as follows:

8 310-A:152 Certificates; Seals. The board shall issue a license upon payment of the license fee
9 established by the board, to any applicant who, in the opinion of the board, has satisfactorily met all
10 the requirements of this subdivision. Licenses shall show the full name of the licensee[~~]~~ **and** have a
11 serial number[~~], and be signed by the chairperson and the secretary of the board under seal of the~~
12 ~~board~~]. The issuance of a license by the board shall be prima facie evidence that the person named
13 in the license is entitled to all the rights and privileges of a licensed landscape architect while the
14 license remains valid. Each licensee shall upon licensure obtain a seal of the design authorized by
15 the board, bearing the registrant's name and the legend, "licensed landscape architect." All papers
16 or documents involving the practice of landscape architecture under this subdivision, when issued or
17 filed for public record, shall be dated and bear the signature and seal of the licensed professional
18 who prepared or had responsibility for and approved them. It shall be a class B misdemeanor for the
19 licensee to stamp or seal any documents with such seal after the license of the licensee has expired
20 or has been revoked, unless such license shall have been renewed, reinstated, or reissued.

21 197:181 Home Inspectors; Signed License. Amend RSA 310-A:193 to read as follows:

22 310-A:193 Issuance of Licenses. The board shall issue a license upon payment of the license fee
23 established by the board, to any applicant who, in the opinion of the board, has satisfactorily met all
24 the requirements of this subdivision. Licenses shall show the full name of the licensee[~~]~~ **and** have a
25 serial number[~~], and be signed by the chairperson or the secretary of the board~~]. The issuance of a
26 license by the board shall be prima facie evidence that the person named in the license is entitled to
27 all the rights and privileges of a licensed home inspector while the license remains valid. It shall be
28 a class B misdemeanor for the licensee to perform home inspections after the license of the licensee
29 has expired or has been revoked, unless such license shall have been renewed, reinstated, or
30 reissued.

31 197:182 Electricians; Signed License. Amend RSA 319-C:7, III to read as follows:

32 III. All persons licensed by the board shall receive a certificate [~~under the seal of the board~~
33 ~~and with the signature of the board chairman,~~] which must be publicly displayed at the principal
34 place of business of said electrician, or, if no such place of business, must be carried on his or her
35 person and displayed at any time upon request to any electrical inspector appointed by the board
36 under this chapter, as long as said person continues in the business as herein defined. The
37 certificate shall specify the name of the person licensed who, in the case of a firm, shall be one of its

CHAPTER 197
SB 58 - FINAL VERSION
- Page 54 -

1 members or employees and, in the case of a corporation, one of its officers or employees passing the
2 examination. In the case of a firm or corporation, the license shall be void upon the death of or the
3 severance from the company of said person.

4 197:183 Effective Date.

5 I. Sections 20 and 123 of this act shall take effect July 1, 2021, at 12:01 a.m.

II. The remainder of this act shall take effect July 1, 2021.

Approved: August 10, 2021

Effective Date:

I. Sections 20 & 123 shall take effect July 1, 2021 at 12:01 a.m.

II. Remainder shall take effect July 1, 2021.